

## Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Include a summary of the relevant principles and provisions in those settlements and any statutory acknowledgement areas.

There are a number of Treaty Settlement Acts and Deeds of Settlement that may have some effect on the overflow project:

- Tauranga Moana Maori Trust Board Act 1981
- Ngai Te Rangi and Nga Potiki Deed of Settlement 2013 & Tauranga Moana Iwi Collective Deed of Settlement 2015
- Affiliate Te Arawa Iwi and Hapu Claims Settlement Act 2008 & Affiliate Te Arawa Deed of Settlement 2008
- Waitaha Claims Settlement Act 2013 & Waitaha Deed of Settlement 2011
- Ngāti Rangiteaorere Claims Settlement Act 2014 & Ngāti Rangiteaorere Deed of Settlement 2008
- Ngāti Rangiwhewehi Claims Settlement Act 2014 & Ngāti Rangiwhewehi Deed of Settlement 2012
- Tapuika Settlement Claims Act 2014 and Tapuika Deed of Settlement 2012

Note: The Te Tumu lands are at the boundary of two Waitangi Tribunal claim inquiry areas; the Tauranga Moana claims, and the Te Arawa claims. This means there are likely to be overlapping claims and areas of interest contained within the documents. Tapuika, Waitaha and Nga Potiki are claimant groups that have areas of interest in the wider Te Tumu area identified in the Deeds of Settlement.

The most relevant provisions from the Deeds of Settlement and legislation (related to the stormwater overflow project) are:

- When preparing or amending a district plan, a local authority must recognise and provide for the vision, objectives, and desired outcomes of the Kaituna River document. This is particularly relevant as the Kaituna River is the southern boundary of the Te Tumu lands. The Kaituna River document was launched in June 2018. A recent change to the Bay of Plenty Regional Policy Statement ([Change 5](#)) has now included the contents of the Kaituna River Document in the RPS to the extent that it relates to resource management issues, and it is the most appropriate way to achieve the purpose of the RMA for the Kaituna River.
- For each resource consent application for an activity within, adjacent to, or directly affecting a statutory area, provide a summary of the application, notice of the application and determine whether the settlement group is an affected party. This will apply for the following areas and group:
  - Kaituna River – Tapuika
  - Wairākei Stream – Waitaha
  - Wairākei Stream – Nga Potiki

- The above statutory acknowledgements will be included in statutory plans.

A summary of these settlement documents is set out below<sup>1</sup>:

#### Tapuika Settlement Claims Act 2014 and Tapuika Deed of Settlement 2012

The Tapuika Deed of Settlement and consequential legislation has direct references to the Te Tumu lands and Kaituna River. The legislation establishes the Kaituna River Authority (Te Maru o Kaituna), a joint committee with the purpose of restoration, protection, enhancement of environmental cultural, and spiritual health and well-being of the Kaituna River. One of the key functions of the new authority alongside monitoring and facilitating projects is to approve the [Kaituna River document](#). This document was approved and released on 22 June 2018.

#### Waitaha Claims Settlement Act 2013 and Waitaha Deed of Settlement 2011

The purpose of this Act is to give effect to certain provisions of the deed of settlement, which is a deed to settle the historical claims of Waitaha. These include statutory areas and corresponding statements of association. The most relevant of these in relation to the project area relate to part of the Kaituna River, specifically the lower Kaituna River which forms the southern boundary of the Te Tumu lands and one arm of the Wairākei Stream, from its source in the west to a wetland in the east within the Te Tumu lands (and not including the arm following an east-west direction).

The Waitaha Deed of Settlement contains several Statements of Association including one for Waitaha and the Wairākei Stream. Under section 26, the Crown acknowledges the statement by Waitaha of their cultural, spiritual, historical, and traditional association of Waitaha with part of the Kaituna River.

There are also several Statutory Acknowledgements, including Part of the Kaituna River (from area of interest boundary to the river mouth at the Kaituna cut), the Wairākei Stream (one arm of the stream), and the Coastal Marine area (from Maketu to Mauao).

#### Ngai Te Rangi and Nga Potiki Deed of Settlement 2013

This Deed of Settlement provides the Crown's acknowledgement of the statements by Ngai Te Rangi and Nga Potiki of their cultural, spiritual, historical and traditional association with Waioaro ki Maketu (as shown on deed plan OTS-078-13).

At 5.16 the Deed sets out several statutory acknowledgements that affect the Te Tumu lands. These mostly relate to the coastal areas and the Wairākei Stream.

The Ngai Te Rangi governance entity and Nga Potiki governance entity, any member of Ngai Te Rangi, and any member of Nga Potiki, can cite the statutory acknowledgement as evidence of Ngai Te Rangi and Nga Potiki's association with the area over which Ngai Te Rangi or Nga Potiki have a statutory acknowledgement.

The Ngai Te Rangi and Nga Potiki Deed of Settlement contains a statement of association that is of relevance to this project.

The Statement of Association of Ngā Potiki (as shown on deed plan OTS-078-22)<sup>2</sup> relates to the Wairākei Stream and stream bed. This stream once ran parallel to Te Akau and extended well into the Te Tumu Block. It drained the extensive Papamoa swamplands and emptied into Te Moana a Toi.

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<sup>1</sup> A full review completed as part of the Te Tumu structure planning and rezoning project is attached.

<sup>2</sup> Deed plan OTS-078-22 is attached as part of full review document.

Wairākei served as a pataka kai and resting place for travellers walking between Tauranga and Maketu well into the nineteenth century.

## **Conclusion**

Overall, and as part of this project it is intended that the matters set out within these documents are taken into account, this includes following processes to ensure that the input of iwi authorities and settlement groups continue to inform and achieve the outcomes anticipated through these statutory requirements.

## **Attachment:**

- Te Tumu Cultural Values Literature Review (for Plan Change)

# Te Tumu Cultural Values Literature Review

A review of relevant iwi and hapu management plans, Deeds of Settlement, Treaty Settlement legislation including statutory acknowledgments and deeds of recognition, relevant cultural impact assessments, consent and plan change documents as they relate to the Te Tumu lands.



Te Tumu structure plan and re-zoning project

**December 2018**



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## 1.0 Introduction

This report and attachments are intended to inform and support the Te Tumu structure plan and plan change documentation in order to fulfil statutory requirements in the preparation of a plan change and support the preparation and presentation of evidence at subsequent hearings.

In summary this report includes:

- A review of relevant iwi and hapu management plans;
- A review of Deeds of Settlement, Treaty Settlement legislation including statutory acknowledgments and Deeds of Recognition as they relate to the Te Tumu lands;
- A literature review of relevant cultural impact assessments, consent and plan change documents, and SmartGrowth files, including a summary of tangata whenua concerns, issues, opportunities as they may relate to the Te Tumu project; and
- The preparation of a map book collating a range of spatial plans and images.

This report has been prepared by Te Onewa Consultants, a specialist in Māori resource management, decision-making and community engagement projects.

## 2.0 Methodology

This work has been completed over a ten-week period. It has involved Antoine Coffin as project lead, a research assistant and access to a spatial mapping specialist at Tauranga City Council. The areas of work are described below.

### *A review of relevant Iwi and Hapū Management Plans*

Iwi Management Plans were reviewed by search for **key cultural terms** such as 'Te Tumu' and 'Kaituna River', **resources** such as dunes, coastal lands, wāhi tapu, archaeology, wetlands, river, ecology/fisheries; and **issues** such as stormwater, visual amenity, employment, education, recognition measures, reserves, residential and commercial development, and protection of heritage.

A review of iwi and hapu management plans has been undertaken. The approach undertaken is like other projects; the Waikeria Prison Designation project in 2017 and the Refining NZ Crude Shipping consents in 2018. This involves identifying relevant issues, policies, objectives and methods in each plan and providing a summary of the current response/action and a recommendation for potential actions.

A list of iwi and hapu management plans received by Bay of Plenty Regional Council is located on their website. The following twelve IMPs have been identified as potentially relevant to the Te Tumu project.

- Waitaha Iwi Management Plan
- Tauranga Moana Iwi Management Plan 2016-2026 - A joint Environmental Plan for Ngāti Ranginui, Ngāi Te Rangi and Ngāti Pūkenga
- Te Awanui: Tauranga Harbour Iwi Management Plan 2008 - Tauranga
- Ngāti Pūkenga Iwi ki Tauranga Trust Iwi Management Plan 2013
- Ngāti Whakaue ki Maketu Hapu Iwi Resource Management Plan 2009
- Draft Ngāti Whakaue Hapu Iwi Resource Management Plan 2018
- Ngāti Pūkenga Resource Management Plan, 1993 - Western Bay of Plenty
- Ngā Aukati Taonga o Tapuika me Waitaha, 1993 - Te Puke/Maketu



- Ngaiterangi Iwi Resource Management Plan, 1995 - Western Bay of Plenty/Tauranga
- Voices Ngā Kōrero Whakahiaha o Ngaiterangi me Ngāti Pukenga, 1999 - Western Bay of Plenty/Tauranga
- Ngāpotiki Environmental Management Plan (Draft), 2001 - Western Bay of Plenty/Papamoa

#### *A statutory document and literature review*

The literature review involved identifying the relevant Deeds of Settlement, Treaty legislation, statutory acknowledgments and a review of relevant CIAs, plan change, consents reports and evidence. This review has informed a summary of tangata whenua concerns, issues and opportunities that are both relevant and contextual to the preparation of a Plan Change and its consideration in subsequent RMA processes.

The Deeds of Settlement, Treaty legislation and statutory acknowledgments were accessible online, relevant CIAs and other documentation were accessed through Tauranga City Council files, Tauranga City library, Te Onewa Consultants archives and SmartGrowth files.

The legislation and statutory documents identified in this report include:

- Tapuika Settlement Claims Act 2014
- Tapuika Deed of Settlement 2012
- Waitaha Claims Settlement Act 2013
- Waitaha Deed of Settlement 2011
- Affiliate Te Arawa Iwi and Hapu Claims Settlement Act 2008
- Affiliate Te Arawa Deed of Settlement 2008
- Ngāti Rangiteaorere Claims Settlement Act 2014
- Ngāti Rangiteaorere Deed of Settlement 2013
- The Kaituna River Document: Kaituna he taonga tuku iho - a treasure handed down
- Ngai Te Rangi and Nga Potiki Deed of Settlement 2013
- Tauranga Moana Iwi Collective Deed of Settlement 2015
- Tauranga Maori Trust Board Act 1981

The cultural impact assessments and other documentation include:

- Ngāti Whakaue ki Maketu Kaituna Re-diversion CIA 2014
- Tapuika CIA for Wairākei Stormwater Consents
- Tapuika CIA for Kaituna Re-diversion 2014
- Waitaha, Ngāti Makino, Ngāti Pikiao & Ngāti Tunohopu CIA for Kaituna re-diversion and wetland project 2014
- Ngāti Whakaue CIA for SmartGrowth
- Mauao ki Papamoa Rena Kaitiaki Impact Assessment 2012

## 3.0 Review of Deeds of Settlement and Treaty Settlement Legislation

### 3.1 Introduction

This section of the review outlines the Treaty claims and settlement process and identifies subsequent provisions and narrative contained within Deeds of Settlement and Treaty Settlement legislation that is relevant to the Te Tumu project. Some of these documents may contain the statutory recognition of various relationships between tangata whenua groups and natural resources and establish new planning and regulatory structures.



This review informs a summary of tangata whenua concerns, issues and opportunities that are both relevant and contextual to the preparation of the Te Tumu Plan Change and their consideration in subsequent RMA processes.

Claims for breaches of the Treaty of Waitangi before 1992 are known as historical claims. Treaty settlements aim to resolve these claims by providing some redress to claimant groups. The Crown settles with Large Natural Groups (LNGs) — communities with a common ancestry. LNGs are known as claimant groups, and can be made up of:

- a single iwi,
- a group of iwi, or
- a collection of hapū from the same geographical area.

The Crown is the government, and government agencies. The Office of Treaty Settlements (OTS) negotiates with representatives of claimant groups on behalf of the Crown.

Although each settlement will have its own nuances, there are 4 main stages in a Treaty settlement.

1. Pre-negotiation — the claimant group chooses people to represent them in negotiations. The Crown and the representatives sign a Terms of Negotiation.
2. Negotiation — the representatives and the Crown negotiate a final Deed of Settlement. The claimant group must agree to the proposed settlement before moving to the next stage of the process.
3. Legislation — the settlement becomes law.
4. Implementation — the Crown and the claimant group work together to make sure everything agreed in the Deed of Settlement happens.

The Deeds of Settlement set out much of the detail of the claims and what has been agreed. This will include Statutory Acknowledgements, Deeds of Recognition, special relationships with Crown entities, lists of the properties in the commercial and financial redress. The legislation is empowering of aspects of the Settlement that require royal ascent.

Settlements generally give 3 kinds of redress to the claimant group. These are:

1. **An historical account of the Treaty breaches, and Crown acknowledgement and apology**

The historical account details the ways that the Crown breached the Treaty. Both the Crown and the claimant group must agree on these. The Crown acknowledges and apologises for the Treaty breaches and the impact they had on the claimant group.

2. **Cultural redress**

Cultural redress can include things like:

- changing place names
- the transfer of Crown land to the claimant group,
- statutory acknowledgements
- deeds of recognition
- statements of association, and

- co-governance or co-management of rivers and lakes.

### 3. Commercial and financial redress

This is cash, property, or a mixture of both.

### 3.2 The Resource Management Act 1991 and Treaty Settlements

In many instances a Treaty Settlement will include proposed changes to the Resource Management Act or bespoke measures that provide for recognition of a claimant group. This can range from notification of resource consent applications, mandatory joint management arrangements, advisory boards, new planning documents, and exclusive or shared rights to resources.

Each settlement will reflect the priorities of the claimant group, the skill of the negotiators, the acquiescence of the government of the day, and the conventions of the time. It should be kept in mind that Treaty Settlements by nature are not compensation for land loss or restitution of rights and privileges held by claimant ancestors at 1840. They are an atonement for breaches of the Treaty of Waitangi that seek to provide some redress to claimant groups. This means that although claims may be 'settled', the claimant group may still express a feeling of injustice and seek restitution in resource management processes that goes beyond the provisions and intent of settlement documents.

It should be remembered that existing RMA 1991 requirements still apply, such as Schedule 1 consultation with iwi Authorities and provisions relating to taking into account iwi management plans.

### 3.3 Treaty Settlements and Te Tumu project

The following section details the various settlements and their effect (if any) in resource management terms on the Te Tumu rezoning and plan change project.

This review has identified six Treaty Settlement Acts and seven Deeds of Settlement that may have some effect on the Te Tumu rezoning and plan change project. These are:

- Tapuika Settlement Claims Act 2014 and Tapuika Deed of Settlement 2012, which include the preparation of The Kaituna River Document: Kaituna he taonga tuku iho - a treasure handed down;
- Waitaha Claims Settlement Act 2013 and Waitaha Deed of Settlement 2011;
- Affiliate Te Arawa Iwi and Hapu Claims Settlement Act 2008 and Affiliate Te Arawa Deed of Settlement 2008;
- Ngāti Rangiteaorere Claims Settlement Act 2014 and Ngāti Rangiteaorere Deed of Settlement 2013;
- Ngāti Rangiwewehi Claims Settlement Act 2014 and Ngāti Rangiwewehi Deed of Settlement 2012;
- Ngai Te Rangi and Nga Potiki Deed of Settlement 2013 and Tauranga Moana Iwi Collective Deed of Settlement 2015;
- Tauranga Moana Maori Trust Board Act 1981.

The Te Tumu lands are at the boundary of two Waitangi Tribunal claim inquiry areas; the Tauranga Moana claims and the Te Arawa claims. This means there are likely to be overlapping claims and areas of interest contained within the documents. The following claimant groups have areas of interest identified in the Deeds of Settlement that include the Te Tumu lands; Tapuika, Waitaha and Nga Potiki.

From the review conducted, the most relevant provisions from the Deeds of Settlement and legislation (related to the Te Tumu project) are:

- When preparing or amending a district plan, a local authority must recognise and provide for the vision, objectives, and desired outcomes of the Kaituna River document. This is particularly relevant as the Kaituna River is the southern boundary of the Te Tumu lands. The Kaituna River document was launched in June 2018.
- For each resource consent application for an activity within, adjacent to, or directly affecting a statutory area, provide a summary of the application, notice of the application and determine whether the settlement group is an affected party. This will apply for the following areas and group:
  - Kaituna River – Tapuika
  - Coastal Marine Area from Little Waihi to Wairākei – Tapuika
  - Coastal Area from Maketu to Mauao – Waitaha
  - Wairākei Stream – Waitaha
  - Wairākei Stream – Nga Potiki
  - Coastal Marine Area from Waioaro to Maketu – Ngai Te Rangi (entire area) and Nga Potiki (Parakiri to Maketu)
- The above statutory acknowledgements will be included in statutory plans.

There are several groups that have not settled at the time of this review. Ngāti Whakaue has initiated their historical land claims at Maketu and wider area, and the Tauranga Moana tribes have not received empowering legislation for their Deeds of Settlement. These are likely to be completed during the lifetime of the Te Tumu lands development.

### 3.4 Tapuika Settlement Claims Act 2014 and Tapuika Deed of Settlement 2012

The Tapuika Deed of Settlement and consequential legislation has direct references to the Te Tumu lands and Kaituna River. The legislation establishes the Kaituna River Authority (Te Maru o Kaituna), a joint committee with the purpose of restoration, protection, enhancement of environmental cultural, and spiritual health and well-being of the Kaituna River. One of the key functions of the new authority alongside monitoring and facilitating projects is to approve the Kaituna River document. This document was approved and released on 22 June, 2018. A review of this document *The Kaituna River Document: Kaituna he taonga tuku iho - a treasure handed down* for the purposes of the Te Tumu Plan Change is contained in Appendix 1.

The relevant provisions are quoted below in full to identify the specific provisions related to the Te Tumu project. Other settlements in this section will have very similar mechanisms and processes. Unless they differ greatly from the below they will not be quoted.

#### **122 Purpose and scope of Kaituna River document**

- (1) The purpose of the Kaituna River document is—
  - (a) to promote the restoration, protection, and enhancement of the environmental, cultural, and spiritual well-being of the Kaituna River; and
  - (b) to the extent necessary to fulfil the purpose described in paragraph (a), to provide for the social and economic well-being of people and communities.
- (2) The Kaituna River document may contain—
  - (a) a vision for the Kaituna River; and
  - (b) objectives for the Kaituna River; and

(c) desired outcomes for the Kaituna River.

(3) The Kaituna River document may also identify significant issues facing the Kaituna River.

(4) The Kaituna River document must not contain rules or other methods for achieving the purpose.

### **123 Effect on Resource Management Act 1991 planning documents**

- (1) In preparing or amending a regional policy statement, regional plan, or district plan, a local authority must recognise and provide for the vision, objectives, and desired outcomes of the Kaituna River document.
- (2) The local authority must comply with subsection (1) each time that it prepares or changes its regional policy statement, regional plan, or district plan.
- (3) Until the obligation under subsection (1) is complied with, where a local authority is considering an application for a resource consent to authorise an activity to be undertaken within the catchment of the Kaituna River, the local authority must have regard to the Kaituna River document.
- (4) To avoid doubt,—
  - (a) the obligations under subsections (1) to (3) apply only to the extent that the contents of the Kaituna River document relate to the resource management issues of the region or district; and
  - (b) the obligations under subsection (1) apply only to the extent that recognising and providing for the vision, objectives, and desired outcomes of the Kaituna River document is the most appropriate way to achieve the purpose of the Resource Management Act 1991 in relation to the Kaituna River.
- (5) In this section, a reference to a plan or a policy statement includes a reference to a proposed plan or a proposed policy statement.

The legislation lists the Kaituna River as a statutory area (OTS-209-26).<sup>1</sup> As well as the coastal marine area from Little Waihi to Wairākei (OTS-209-74).<sup>2</sup> The Kaituna River is also listed as subject to a deed of recognition, as shown on OTS-209-26.<sup>3</sup>

### **34 Purposes of statutory acknowledgement**

The only purposes of the statutory acknowledgement are—

- (a) to require relevant consent authorities, the Environment Court, and the Historic Places Trust to have regard to the statutory acknowledgement, in accordance with sections 35 to 37; and
- (b) to require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees in accordance with sections 38 and 39; and

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<sup>1</sup> Tapuika Claims Settlement Act 2014, Schedule 1, Part 1 Areas subject to statutory acknowledgement. p.104

<sup>2</sup> Tapuika Claims Settlement Act 2014, Schedule 1, Part 1 Areas subject to statutory acknowledgement. p.105

<sup>3</sup> Tapuika Claims Settlement Act 2014, Schedule 1, Part 1 Areas also subject to deed of recognition. p.105

- (c) to enable the trustees and any member of Tapuika to cite the statutory acknowledgement as evidence of the association of Tapuika with a statutory area, in accordance with section 40.

### **35 Relevant consent authorities to have regard to statutory acknowledgement**

- (1) This section applies in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity.
- (3) Subsection (2) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

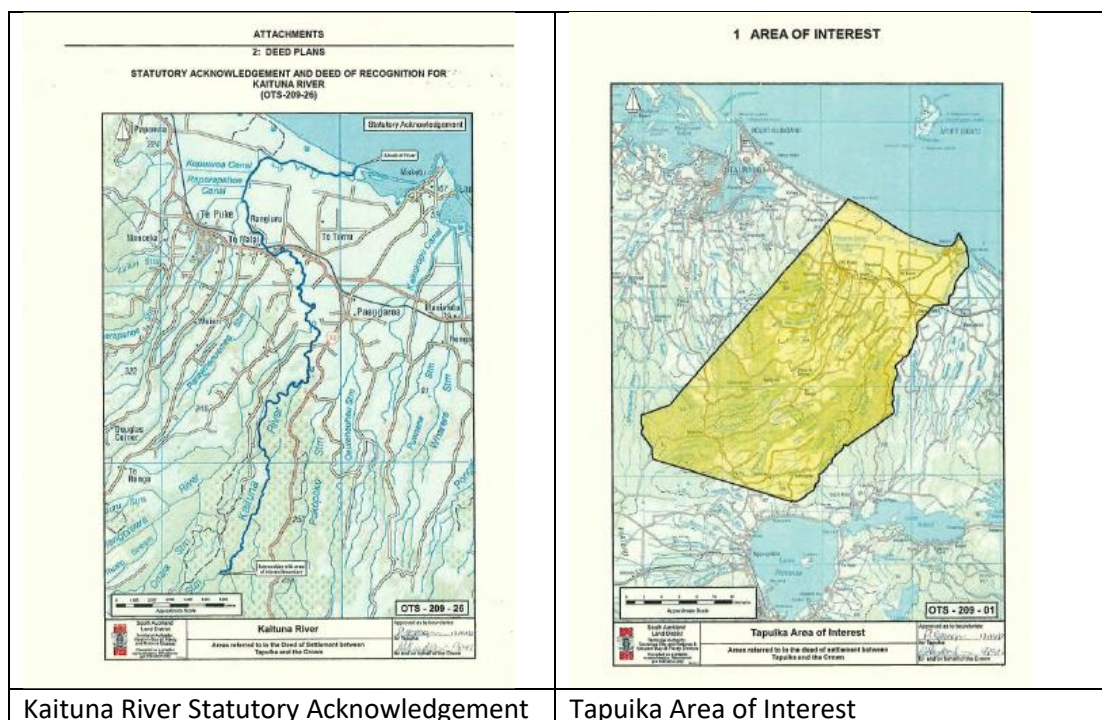
### **38 Recording statutory acknowledgement on statutory plans**

- (1) On and from the effective date, each relevant consent authority must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area.
- (2) The information attached to a statutory plan must include—
  - (a) a copy of sections 33 to 37, 39, and 40; and
  - (b) descriptions of the statutory areas wholly or partly covered by the plan; and
  - (c) the statement of association for each statutory area.
- (3) The attachment of information to a statutory plan under this section is for the purpose of public information only and, unless adopted by the relevant consent authority as part of the statutory plan, the information is not—
  - (a) part of the statutory plan; or
  - (b) subject to the provisions of Schedule 1 of the Resource Management Act 1991.

### **39 Provision of summary or notice to trustees**

- (1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:
  - (a) a summary of the application, if the application is received by the consent authority; or
  - (b) if notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.
- (2) A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under section 95B of the Resource Management Act 1991, or as may be agreed between the trustees and the relevant consent authority.
- (3) The summary must be provided—
  - (a) as soon as is reasonably practicable after the relevant consent authority receives the application; but
  - (b) before the relevant consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.
- (4) A copy of a notice must be provided under subsection (1)(b) not later than 10 working days after the date on which the consent authority receives the notice.
- (5) The trustees may, by written notice to a relevant consent authority,—
  - (a) waive the right to be provided with a summary or copy of a notice under this section; and
  - (b) state the scope of that waiver and the period it applies for.
- (6) This section does not affect the obligation of a relevant consent authority to decide,—
  - (a) under section 95 of the Resource Management Act 1991, whether to notify an application:

(b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.



### 3.5 Waitaha Claims Settlement Act 2013 and Waitaha Deed of Settlement 2011

The purpose of this Act is to give effect to certain provisions of the deed of settlement, which is a deed to settle the historical claims of Waitaha. These include statutory areas and corresponding statements of association. The most relevant of these relate to part of the Kaituna River, specifically the lower Kaituna River which forms the southern boundary of the Te Tumu lands and one arm of the Wairākei Stream, from its source in the west to a wetland in the east within the Te Tumu lands (and not including the arm following an east-west direction).

The Waitaha Deed of Settlement contains several Statements of Association including one for Waitaha and the Wairākei Stream.

*The whole Wairākei area used to fill with water when the tide came in. The Wairākei Stream was navigable, and our people used it to travel by waka up to their pa and papakainga in the Papamoa hills. Now it is all dried up. The Wairākei River was partially filled by the overflow of water from the Kaituna River into the lagoon area on the coastline and also from waters from the Parapara repo. Horoipia repo is an area along the coast that also connects to the Wairākei.*

*This was a significant waterway for Waitaha to navigate to and from different pa and nohoanga kainga. Subsequent development by local/regional councils saw the disappearance of the river. This was also a significant mahinga kai for Waitaha. This area also marks the eastern end of the Tauranga Lands Act confiscation boundary.<sup>4</sup>*

In the background to the Deed of settlement, Whareoteriri Rahiri of Waitaha, told the Waitangi Tribunal of trips to the Wairākei Stream and its outfall into the estuary to gather watercress and pipi. He remarked on the clarity and cleanliness of that stream. As Boffa Miskell has reported :

<sup>4</sup> Waitaha Deed of Settlement, Statement of Association – Wairākei Stream, p.23 (as shown on deed plan OTS-075-14)

*As late as the 1950s this raupo-fringed lagoon was still an isolated place little known to local Pakeha, a place where local whanau could still gather to gather tuatua and pipi, or catch kahawai at the mouth of the lagoon. Upstream from the lagoon, fishing parties would gather watercress on their homeward journey. Since then, drainage works and residential development have obliterated the lagoon, the stream, and most signs of the former Maori occupation and use of the area.<sup>5</sup>*

The Wairakei Stream (subject of claim Wai 664, by Waitaha) no longer exists, because of reclamation and urban development. In its place is a stormwater drain.<sup>6</sup>

Under section 26, the Crown acknowledges the statement by Waitaha of their cultural, spiritual, historical, and traditional association of Waitaha with part of the Kaituna River.

*Paroa Pā was the pā of Hinepiri, the eldest sister of Te Iwikoroke. Hinepiri and Te Puku o Hākoma chose the leadership of their elder brother Te Iwikoroke, while the others came under Kumaramaoa. Te Kopua and Te Karaka were also pā located in the same area and are pā which Waitaha have always associated with the Kaituna.*

Another Statement of Association near the Te Tumu lands is for the coastal area from Maketu to Mauao.

*From Maketu we go to the Kaituna River, then to Otumatawhero, Wairakei, Te Houhou ki Repehunga, Waitahanui, Maikukutea, Otira, Te Manu Whakahoro and then to Mauao, to Waikorire where the Waimapu River flows out to the ocean.*

*The plains between Maketu and Mauao contained a complex navigational system. There were many waterways and tracks linking coastal and inland sites to each other. The main routes across the Papamoa Hills and coastal plains between Tauranga, Maketu and Rotorua have been formed along these working tracks. The Tapuae Track is one of these routes.*

*Otumatawhero is located on the coast about midway between Wairakei and Te Tumu in an area that was known to Waitaha as Te Oku. Te Oku was the name of the porpoise that followed the waka Te Arawa into Maketu. Otumatawhero was also on the ancient highway system, with a major track heading east following the Wairakei Stream then crossing the Horoipia repo, toward the Kaituna. There is also a strong relationship between Otumatawhero and Te Tumu which was a significant coastal site as it was a strategic location linking Papamoa to Maketu. Whoever held Te Tumu Pa had military advantage for that area. In the 1830's Te Tumu and Maketu were fiercely contested.*

*Wairakei is located mid-way between Maketu and Mauao. Individual pa and other significant sites were physically linked as stepping-stones across the vast wetlands and dune plains. Streams originating in the hills around Otawa crossed the plain, emptying into the wetlands, then finding their courses into Te Awa o Wairakei or the Kaituna River. This included Te Kopuaroa and Te Raparapa-a-Hoe. The former lagoon at Wairakei was fringed with raupo and manuka and had an abundance of fish which could be seen by a person standing on the banks because the water was as clear as glass. The lagoon became a casualty of drainage and flood protection works and urban development.*

*The first Waitaha occupation of Wairakei began when the waka Te Arawa followed a porpoise up the Wairakei River. It is historically known as Te Okuroa o Wairakei. The first settler in that area was Rongomaitane, a son of Waitaha. His son was Te Haehae and the son of Te Haehae was Whitikiore who is associated with the Pa Te Kio.*

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<sup>5</sup> Tauranga Moana 1886-2006, 7.5.1, p.528-529.

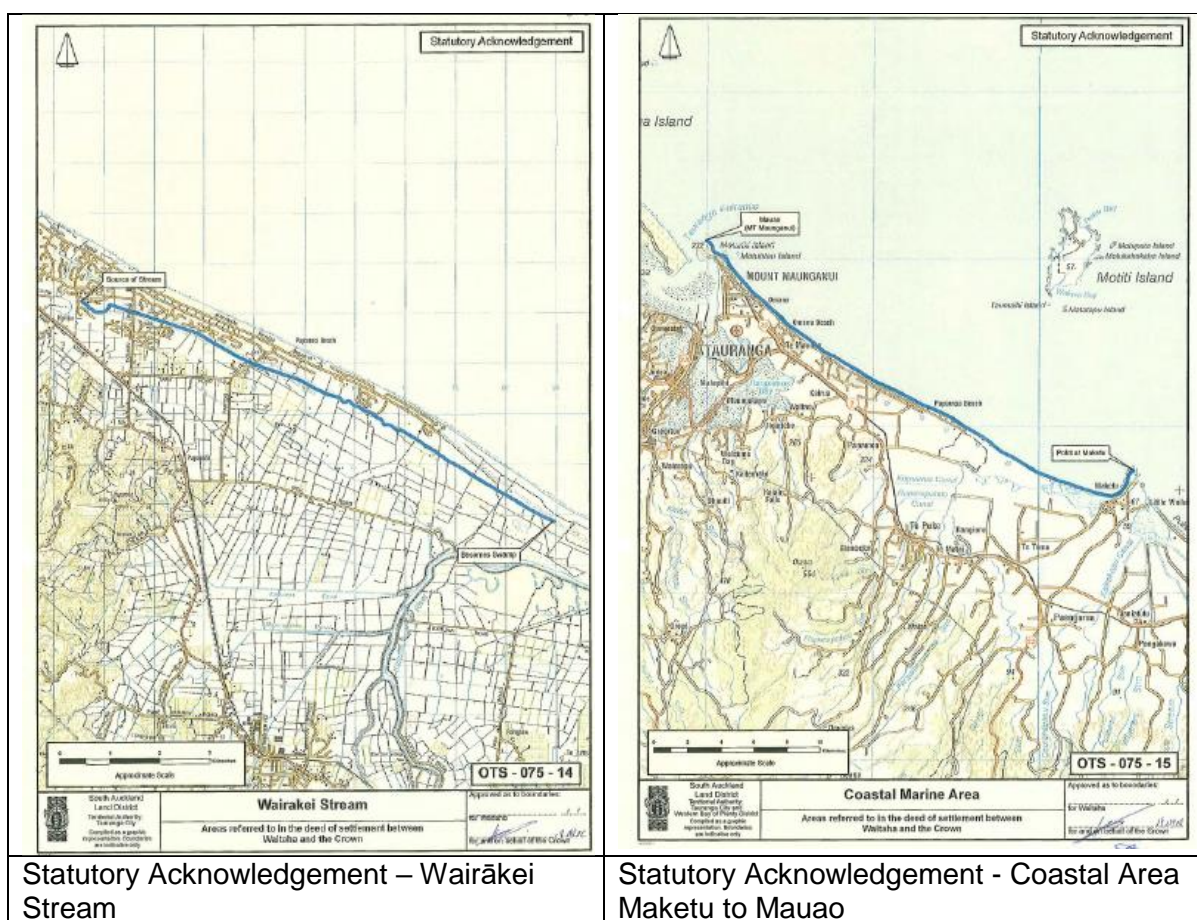
<sup>6</sup> Counsel for Wai 664 claimants, final closing submissions, 12 December 2006 (doc U5(a)), p 56 (taken from Tauranga Moana 1886-2006, 7.5.3, p.541.)



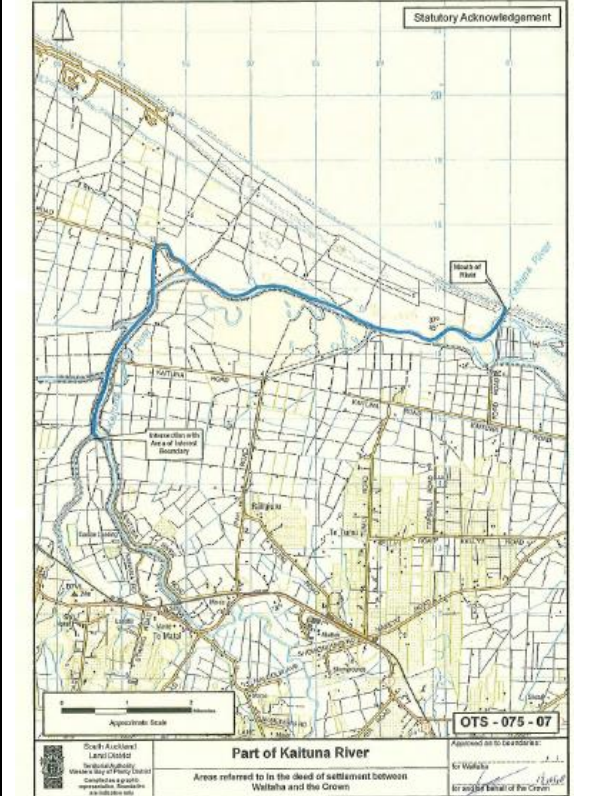
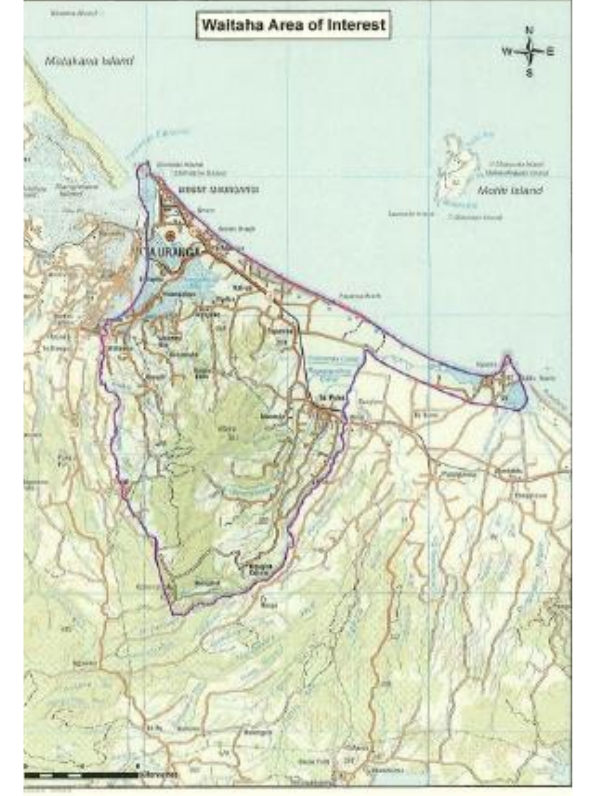
... Te Houhou was the main papakainga along the Papamoa coast and is near Wairakei. It provides a tangible link to Te Rae o Papamoa, Te Kio, Kiore Te Kopua and other associated pa in this area. It is considered to be the most significant remnant of archaeological landscape that once covered hundreds of hectares between Mauao and the Kaituna River.

...Paraoa was a Waitaha pa protruding out of the swamp which is how it got its name. When Waitaha tupuna first explored this site, they found the remains of the whale Paraoa, hence the name of the pa. This pa is located near Te Kio and is further along the ridge from Kiore. Part of Paraoa is still visible today. Paraoa is also the name of a son of Takakopiri, who was nine generations down from Hei.<sup>7</sup>

There are also several Statutory Acknowledgements, including Part of the Kaituna River (from area of interest boundary to the river mouth at the Kaituna cut), the Wairakei Stream (one arm of the stream), and the Coastal Marine area (from Maketu to Mauao).



<sup>7</sup> Waitaha Deed of Settlement, Statement of Association – coastal area from Maketu to Mauao (as shown on deed plan OTS-075-15), pp.24-25.

	
<p>Statutory Acknowledgement – Part of Kaituna River</p>	<p>Waitaha Area of Interest</p>

Under section 27 and 28, and without limiting the rest of this schedule, the only purposes of this Statutory Acknowledgement are to require consent Authorities (the Council) to forward summaries of applications and consider affected party status.

### 27 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are to—

- (a) require that relevant consent authorities, the Environment Court, and the New Zealand Historic Places Trust, to have regard to this Statutory Acknowledgement in relation to Part of the Kaituna River as provided in sections 28 to 30; and
- (b) require relevant consent authorities to forward summaries of resource consent applications to the trustees of Te Kapu o Waitaha, as provided in section 32; and
- (c) enable the trustees of Te Kapu o Waitaha and any member of Waitaha to cite the Statutory Acknowledgement as evidence of the association.<sup>8</sup>

Under section 28, quoted below, relevant consent authorities must have regard to the Statutory Acknowledgement relating to a statutory area in deciding, under section 95E of the Resource Management Act 1991, if the trustees of Te Kapu o Waitaha are affected persons in relation to an activity within, adjacent to, or directly affecting the statutory area for which an application for a resource consent has been made. This requirement does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

<sup>8</sup> Waitaha Claims Settlement Act 2013, section 27, p.

## **28 Relevant consent authorities to have regard to statutory acknowledgement**

(1) This section applies in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.

(2) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity.

(3) Subsection (2) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991

The following three provisions limit the consideration, scope and nature of the statutory acknowledgement content.

## **37 Exercise or performance of powers, duties, and functions**

(1) Except as expressly provided in this subpart,—

(a) neither the statutory acknowledgement nor a deed of recognition affects, or may be taken into account by, a person exercising a power or performing a function or duty under legislation or a bylaw; and

(b) no person, in considering a matter or making a decision or recommendation under legislation or a bylaw, may give greater or lesser weight to the association of Waitaha with a statutory area than that person would give under the relevant legislation or bylaw if there were no statutory acknowledgement or deed of recognition for the statutory area

(a) this Statutory Acknowledgement does not affect, and may not be taken into account by, a person exercising a power or performing a function or duty under legislation or a bylaw; and

(b) no person, in considering a matter or making a decision or recommendation under legislation or a bylaw, may give greater or lesser weight to the association of Waitaha with a statutory area (as described in a statement of association) than that person would give under the relevant legislation or bylaw if no Statutory Acknowledgement or deed of recognition existed in respect of the statutory area.

## **Section 38 Rights not affected**

Except as expressly provided in this Act, the Statutory Acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

## **Section 39 Limitations of rights**

Except as expressly provided in this Act, the Statutory Acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, a statutory area.

### **3.6 Affiliate Te Arawa Iwi and Hapu Claims Settlement Act 2008 and Affiliate Te Arawa Deed of Settlement 2008**

This settlement legislation and Deed of Settlement relates to Ngāti Ngararanui (including Ngāti Tamahika and Ngāti Tuteaiti); and Ngāti Kearoa Ngāti Tuara; and Ngāti Tura–Ngāti Te Ngakau; and (iv) Ngāti Te Roro o Te Rangi; and Ngāti Tuteniu; and Ngāti Uenukukopako; and Tuhourangi Ngāti Wahiao; and Ngāti Tahu–Ngāti Whaoa; and Ngāti Pikiao (excluding Ngāti Makino); and Ngāti Rongomai.

This settlement includes claims to the Waitangi Tribunal Wai 471 (Te Tumu Kaituna Lands claim).



There are four rivers with Statutory Acknowledgements in the Deed of Settlement, however, these do not affect the Te Tumu lands. Part of the Kaituna River is shown on SO 364730. The SO Plan referred to was for the purposes of indicating the general location of the Statutory Area and was not intended to establish the precise boundaries of the Statutory Area (SA). This SA extends from the outlet at Lake Rotoiti to Maungarangi Road. Therefore, it does not include the lower part of the Kaituna River adjacent to Te Tumu. The Kaituna River SA predominantly relates to the interests of Ngāti Pikiao.

The Affiliate Te Arawa Iwi/Hapu Area of Interest is bounded in the north-west by the Kaituna River and does not extend to the Te Tumu lands.<sup>9</sup>

### 3.7 Ngāti Rangiteaorere Claims Settlement Act 2014 and Ngāti Rangiteaorere Deed of Settlement 2013

The Claims Settlement Act does not identify or record any interests in the Te Tumu lands, Wairākei Stream or Kaituna River, however in the Deed of Settlement, the historical account records that in the late Nineteenth century the Native Land Court recognised Ngāti Rangiteaorere interests in Tumu Kaituna, Pukaingataru and Paengaroa North, which were coastal blocks near Maketu. By the turn of the century the Crown had purchased the shares of some Ngāti Rangiteaorere in these blocks.<sup>10</sup>

The Waitangi Tribunal report for the Ngāti Rangiteaorere claims does not mention Te Tumu, however, there are references to Maketu related to early Te Arawa traditions, and latter association through access down the Kaituna River and Hans Tapsell establishing a flax industry at Maketu.<sup>11</sup>

### 3.8 Ngai Te Rangi and Nga Potiki Deed of Settlement 2013

The Ngai Te Rangi and Nga Potiki Deed of Settlement has no corresponding legislation at the time of this report. The Bill has reached its second reading and has not progressed due to cross-claims.

This Deed of Settlement provides the Crown's acknowledgement of the statements by Ngai Te Rangi and Nga Potiki of their cultural, spiritual, historical and traditional association with Waiororo ki Maketu (as shown on deed plan OTS-078-13).

At 5.16 the Deed sets out several statutory acknowledgements that affect the Te Tumu lands. These mostly relate to the coastal areas and the Wairākei Stream.

Like many other SA's consent authorities are required to have regard to statutory acknowledgements, the relevant consent authorities must forward summaries of resource consent applications to the relevant governance entity, where the application is within, adjacent to or directly affecting a statutory area. A copy of a notice of a resource consent application must also be served on the consent authority under section 145(10) of the Resource Management Act 1991, and relevant consent authorities are to record the statutory acknowledgement on the statutory plans that relate to the statutory areas.<sup>12</sup>

The Ngai Te Rangi governance entity and Nga Potiki governance entity, any member of Ngai Te Rangi, and any member of Nga Potiki, can cite the statutory acknowledgement as evidence of Ngai

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<sup>9</sup> Schedule 6, Affiliate Te Arawa Iwi/Hapu Area of Interest, Deed of Settlement 2008.

<sup>10</sup> Ngāti Rangiteaorere Deed of Settlement. sect. 2.19, p.11

<sup>11</sup> Dr Ken Kennedy of Rangiteaorere has stated that Rangiteaorere has an interest in Te Tumu Kaituna Block. Pers.comment 2019.

<sup>12</sup> Ngai Te Rangi and Nga Potiki Deed of Settlement. 5.16.4

Te Rangi and Nga Potiki's association with the area over which Ngai Te Rangi or Nga Potiki have a statutory acknowledgement.<sup>13</sup>

The Nga Potiki interest within the coastal statutory acknowledgement will be Parakiri (recorded name Omanu Beach) located on the western boundary of the Papamoa 2 block to Maketu (as shown on deed plan OTS-078-13), with the following areas of the coastal statutory acknowledgement being for the sole benefit of Nga Potiki, from Parakiri (Omanu Beach) located on the western boundary of the Papamoa 2 block to Wairākei; and from Te Tumu to Maketu.<sup>14</sup>

The coastal statutory acknowledgement applies to the area shaded dark blue on deed plan (OTS-078-13) and is limited to the marine and coastal area as defined in section 9 of the Marine and Coastal Area (Takutai Moana) Act 2011.

The Ngai Te Rangi and Nga Potiki Deed of Settlement contains three statements of association that are relevant to the Te Tumu lands. These provide some information regarding cultural and historic association.

#### **Statement of Association Waioaroaro ki Maketu (OTS-078-13)**

Ngai Te Rangi are a coastal people and for centuries have lived along the coastline, from Waioaroaro through to Te Tumu. The area is significant as it tells a story about the existence of Ngai Te Rangi over time. In particular, Te Whanau a Tauwhao were sentinels for the most northern region of our rohe. All along the coastline from that point, we see symbols of residence, occupation, and active living by our hapu members and our people. From Mauao, our residence stretches unhindered along the shoreline to Waikare and Te Tumu.

#### **Statement of Association Te Akau (OTS-078-13)**

This statement of association relates to the sand dunes and beach from Papamoa coast - West of Girven Road to Wairākei (Taylor's Reserve) ending at Te Tumu (mouth of the Kaituna River).

The coast (Te Akau) and ocean (Te Moana a Toi) represent the easterly extent of the Nga Potiki rohe. The abundant ocean fisheries and fresh water fisheries from the adjacent and extensive wetlands attracted settlement along the length of the coastal dune system and Papamoa coastal plain. Te Akau served as an important pataka kai for Nga Potiki for many centuries. Te Akau is also a wahi tapu. Nga Potiki kaumatua referred to Te Akau as 'nga urupa katoa', where for centuries Nga Potiki buried their dead. The last known burial was in 1912. The coast and walking trails along the length of the dune system linked Mangatawa to Te Houhou, Te Tumu and Maketu. Te Akau served as a 'highway' well into the nineteenth century.<sup>15</sup>

#### **Statement of Association Wairākei (as shown on deed plan OTS-078-22)**

This Statement of Association of Ngā Potiki relates to the Wairākei Stream and stream bed. This stream once ran parallel to Te Akau and extended well into the Te Tumu Block. It drained the extensive Papamoa swamplands and emptied into Te Moana a Toi. Wairākei served as a pataka kai and resting place for travellers walking between Tauranga and Maketu well into the nineteenth century.

The mouth of the Wairākei Stream was 'filled in' by a developer in the 1950's. Much of the stream, which is located on private property, has since been dammed but remains clearly visible as a

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<sup>13</sup> Ngai Te Rangi and Nga Potiki Deed of Settlement. 5.16.5

<sup>14</sup> Ngai Te Rangi and Nga Potiki Deed of Settlement. 5.17, p.41

<sup>15</sup> Ngāi Te Rangi and Ngā Potiki Deed of Settlement, p.6

continuous stretch of water. The area in the vicinity of Wairākei is associated with the death of Hikareia following the fall of Te Tumu pa in 1836.

### 3.9 Tauranga Moana Iwi Collective Deed of Settlement 2015

This Deed of Settlement records the Crown's intention to establish a Tauranga Moana Framework which in summary establishes a statutory committee called the Tauranga Moana Governance Group; and provides for the preparation, review, amendment and adoption of a Tauranga Moana framework document - Nga Tai ki Mauao. There is no mention of the planning status given to the document.

The framework applies to waters of Tauranga Moana, described as the Tauranga Harbour, the significant number of rivers, streams and wetlands within the harbour catchment, and the coastal marine area from the Waiooro Stream (to be assigned in legislation giving effect to the Ngai Te Rangi deed of settlement) in the north-west to the Wairākei Stream in the south-east.

There has been no empowering legislation for the Tauranga Moana Framework so the provisions are for the time being irrelevant.

### 3.10 Tauranga Moana Trust Board 1981

This legislation records the full pardon given to Māori who took up arms against the Crown in 1864 and the payment of \$250,000 as a full and final settlement of all claims arising from confiscation and other acquisitions.

The legislation sets out the lands confiscated by the Crown under the Tauranga District Lands Act 1868:

*All that land estimated to contain two hundred and fourteen thousand acres known as the Tauranga Block bounded on the North-east by the sea from Ngakuri-a-whare Point to Wairakei Creek on the South-east by a line from the mouth of the Wairakei Creek to Otara from thence to Otanewainuku from thence to Poutiki on the South-west by a line from Poutiki to the summit of the watershed of the dividing range of hills between the East Coast and the Thames Valley and thence following the said watershed northward to the summit of the Aroha Mountain and on the North-west by a straight line from the summit of the Aroha Mountain to Ngakuri-a-whare Point.*

*“Together with the Island of Tuhua or Mayor Island and such portions of Motiti or Flat Island as shall be adjudged to belong to the Ngaiterangi Tribe or to individual members thereof.”*

This narrative sets out the rudimentary dividing line between Tauranga tribes and Te Arawa tribes lands at the mouth of the Wairākei Stream mouth (now Taylors Reserve). This boundary was set between the tribes during peace making in 1845.

## 4.0 Iwi and Hapu Management Plans

Iwi and hapū management plans are planning documents prepared by mandated iwi entities to articulate an iwi or hapū view on resource management matters pursuant to Acts, primarily the RMA 1991, the Fisheries Act, Local Government Act and several specific pieces of Treaty Settlement legislation.

Iwi and hapū will often prepare a plan to apply to all relevant sections of the RMA and to be taken account of as a relevant planning document for an Iwi Authority as outlined in the RMA. The plans

will often give priority and clarity to those Part 2 matters in the RMA that are of relevance to Māori, in particular (but not limited to):

- Section 6 – recognising and providing for: (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga; (g) the protection of historic heritage from inappropriate subdivision, use, and development; (f) the protection of protected customary rights;
- Section 7 Other Matters – (a) having particular regard to kaitiakitanga; and
- Section 8 Treaty of Waitangi – taking into account the principles of the Treaty of Waitangi.

The RMA 1991 refers to an iwi or hapū management plan as a relevant planning document. There are several references to the way in which this document will be considered. These include:

- section 74(2A) of the RMA that requires a local authority to take into account any relevant planning document recognised by an Iwi Authority and lodged with the local authority, to the extent that its content has a bearing on the resource management issues of the district, when preparing or changing a district plan.
- sections 61(2A)(a) and 66(2A)(a) of the RMA that requires a regional council to “take into account” any relevant planning document recognised by an Iwi Authority and lodged with the local regional council, to the extent that its content has a bearing on the resource management issues of the region, when preparing or changing regional policy statements or regional plans respectively
- A consent authority considering an application for resource consent under section 104 of the Resource Management Act 1991 must have regard to the Plan, if it considers that section 104(1)(c) applies to the Plan.

In the methodology section above the Iwi Management Plans are listed, and in Appendix 1, a review of each plan can be found.

## 5.0 Cultural Impact Assessments and Other Literature

This section summarises the review conducted of previous cultural impact assessments, relevant non-statutory documents, and evidence of some bearing on the Te Tumu lands.

### 5.1 SmartGrowth Strategy 2013

This strategy and implementation plan was prepared over an 18 month period with a strong focus on the next 20 years. The previous plan had a management focus, this strategy provides a more comprehensive approach. There is a dedicated section to Tangata Whenua matters and several specific actions related to matters Māori.

### 5.2 Kaituna River Re-Diversion Project - Tapuika Cultural Impact Assessment 2014

This report prepared by Elva Conroy on behalf of Tapuika assessed impacts on sites of significance, mahinga kai and taunga ika resources, historic modifications of the Kaituna River.

### 5.3 Tapuika Cultural Impact Assessment 2018

This report prepared by Hohepa Maxwell on behalf of Tapuika Iwi Authority as part of the Te Tumu rezoning and plan change project. At 116 pages, it is a lengthy and extensive cultural impact assessment. The CIA sets out the key issues for Tapuika including:

- landscape overlays,
- maunga (volcanic) and other relevant cultural view shafts,
- ancestral land,
- significant ecological areas,



- coastal marine area,
- discharges to, or may enter, the sea, rivers, streams, wetlands, aquifers,
- sites and places of significance to mana whenua,
- historic heritage overlay sites of significance tangata whenua,
- statutory acknowledgements,
- Treaty Settlement land, and
- Māori land.

#### 5.4 An Assessment of Cultural Impacts in Relation to the Kaituna Re-diversion and wetland creation project 2014

This assessment was prepared on behalf of Waitaha, Ngāti Makino, Ngāti Pikiao, and Ngāti Tunohopu, all Te Arawa. The assessment provides some useful historical background that summarises the iwi and hapu above associated with Te Tumu, Maketu and Kaituna River.

The recommendations in the CIA direct work on participation, collaboration and empowering local people in the planning, management and implementation of projects.

#### 5.5 Cultural Impact Assessment Kaituna River Re-diversion, Ngāti Whakaue ki Maketu 2014

This assessment mentions Te Tumu Pā, in particularly Ngāti Whakaue association with the events surrounding the 1836 conflict and presence of human remains.

#### 5.6 Mauao ki Papamoa Rena Kaitiaki Impact Assessment 2012

This assessment was commissioned by Rena Long-Term Environmental Recovery Team for the purpose of informing the relevant parties of the Impact of the Rena Grounding on Tangata Whenua from Mauao to Papamoa. The Tangata Whenua group included Te Rūnanga o Ngāi Te Rangi Iwi Trust (TRONIT), TRONIT Resource Management Unit (TRONIT RMU), Ngāti Kuku Environmental Management Unit (Ngāti Kuku EMU) and the Mauao Project Steering Committee.

The CIA sets out a summary of Ngai Te Rangi association with the coastal area 'Mai Nga Kuri a Whareki ki Te Tumu. Important matters of note include; restoration, awareness of cultural impacts, protecting tangata whenua interests, civil defence planning and integration.

#### 5.7 Lower Kaituna River and Te Tumu – The Ford Family History from 1907 – 2008

This 31 page social history of the Ford family at Te Tumu written in first person, provides a summary of land use activity, a chronology of government and local body decisions, and physical changes to the Kaituna River. There are several good quality photographs and images.

#### 5.8 Evidence of Matiu Dickson (Waitangi Tribunal)

This brief of evidence (a transcript and summary presentation) prepared by the late Matiu Dickson of Ngai Te Rangi sets out the ten hapū of Ngai Te Rangi and their association with 'Nga Kuri a Whareki ki Te Tumu'. It provides an interesting interpretation of the battles between Ngai Te Rangi hapū and Te Arawa between 1833 and 1836 through analysis of two traditional moteatea.

#### 5.9 Brief of Evidence in chief of Dr Des Kahotea

This brief of evidence was prepared by Dr Des Kahotea in support of identifying and protecting remnants of the Te Tumu Pā located at the end of the Te Tumu lands adjacent to the Kaituna River Cut. Dr Kahotea was relied upon heavily by the Court in establishing the events leading up to, during and after the battle of Te Tumu in 1836, the significance of the Pā and surrounding area.

#### 5.10 Te Tumu Significant Māori Area Assessment 2013

The assessment provides a summary of references to Te Tumu Pā, the iwi and hapū groups associated with the pā, its significance and recommendations for protection. Specifically, the assessment recommended that an area of the parekura 'Te Tumu' is preserved to acknowledge and recognise the historic significance of the events and the very 'tapu' nature of the land as a result of the large loss of life at this place. This could be achieved by setting aside reserves at Te Tumu, Te Kopua, Te Karaka, Whakarauhe and Otaiparia, and addressing size, scale, intensity and design of urban development in such a way as to provide meaning and coherence to the context of the battles and the place of Te Tumu.

#### 5.11 Statement of Evidence of Antoine Coffin (Environment Court 2013)

This statement of Evidence was prepared for the Environment Court in 2013, regarding the protection of Te Tumu Pa. It sets out some background to the development of the City Plan to include SMAs, the inclusion of Te Tumu Pa and some historical background.

#### 5.12 Te Raupatu o Tauranga Moana, Waitangi Tribunal 2004

This comprehensive report provides some summary information regarding conflict in the 1830s including coastal areas.

#### 5.13 Tauranga Moana 1886-2006, Volume 1 & 2, Waitangi Tribunal 2010

This comprehensive report only contains a small reference to the loss of customary resources at the mouth and upper reaches of the Wairākei Stream.

#### 5.14 Cultural Impact Assessment for Comprehensive Stormwater Consent for Pāpāmoa Catchment - Proposed Change to Condition 5.3 of Resource Consent 63636, October 2014

This document provides a (Ngai Te Rangi) tangata whenua perspective on the cultural significance and potential impacts of the proposed changes to Resource Consent 63636 (condition 5.3) from the Bay of Plenty Regional Council (BOPRC).

The purpose of this report is to highlight the authority of Ngai Te Rangi; for the defined area, to support the greater interests of our whanau, marae and hapu and to ensure Hapu and Iwi interests are addressed.

#### 5.15 Cultural Impact Assessment on behalf of the Tapuika Iwi Authority for Proposed Variation to Resource Consent No. 63636 – Comprehensive Stormwater Consent for Papamoa 2014

This assessment prepared on behalf of Tapuika by Elva Conroy. The assessment is generally supportive of the consents and recommends further work on identifying sites of significance and enhancing mahinga kai and cultural harvesting resources.

#### 5.16 Tapuika Cultural Impact Assessment of Te Awa-iti o Waiari, 2005

This report assesses the impacts and effects of a proposed Waiari water supply scheme. The report identified the key values of Taupika at the time, these being mauri, tapu, mana, take tupuna, ahi kā and kaitiakitanga.

The report has identified values of waterways. These include:

- The role of waterways in the tribal creation stories
- The proximity of wahi tapu and other historical sites
- Use of waterways as access routes
- Source of mahinga kai and resource materials
- Future generations access and use to resources.

The report identifies the important issues as Integrated management, participation of Tapuika iwi, liaison and communication, relationship and protocol agreements.

#### 5.17 Ngāpotiki a Tamapahore Cultural Impact Assessment of Proposed Change to Condition 5.3 and associated conditions of Resource Consent 63636 – Comprehensive Stormwater Consent for Pāpāmoa Catchment, Feb 2015

This cultural impact assessment was prepared by Ngapotiki in 2015. It responds to a change in the Papamoa Catchment stormwater consents regarding storage. The report recommends use of good practise in stormwater management and several matters that should be included in the development and landscape plan for the Wairākei and a cultural management plan for the Te Tumu lands.

#### 5.18 Te Runanga o Ngati Whakaue ki Maketu Cultural Impact Assessment October 2014

The purpose of this report is to provide an assessment of the cultural impacts the comprehensive stormwater consent variation 63636 will have on the Ngati Whakaue ki Maketu hapu members. It is mainly concerned with sites of significance, providing a very useful map and a list of significant sites to Ngati Whakaue ki Maketu. Much of the balance of the assessment is concerned with the downstream effects on the Kaituna River and Maketu Estuary.

#### 5.19 Waitaha Cultural Impact Assessment of the proposed Waiari Water Supply Scheme. April 2006

This report is a 55-page assessment of a proposal to take water for water supply from the Waiari Stream. The assessment does not provide much guidance for the Te Tumu structure plan and rezoning project as much of the report discusses international and national social and cultural contexts. The conclusions and recommendations are general in nature related to the Waiari specifically and are mostly irrelevant to the Te Tumu project.

#### 5.20 Waitaha Cultural Impact Assessment October 2014

The purpose of this report is to provide 2 cultural assessments with recommendations concerning Waitaha iwi area of interest within the scope of Proposed Variation to Resource Consent No. 63636 – Comprehensive Stormwater Consent for Papamoa & Mount Beach-Papamoa Coastal Structures resource consent application. The assessment sets out the Waitaha area of interest and several matters that should be considered regarding stormwater, Waitaha participation in decision-making and restoration of wetlands.

#### 5.21 Waitaha Response (CIA) to Cultural Management Plan for Wairākei August 2015

This report is an Addendum in addition to the CIA for the purposes of responding to additional activity being sought and is inclusive of the associated Stormwater Catchment Management Plan – Papamoa Catchment (CSC6). The report provides some specific elements that need to be

incorporated into a landscape plan and/or cultural management plan for the Wairākei Stream and Te Tumu.

#### 5.22 Waitaha Cultural Plan, 30 June 2016

This plan has been prepared in part as the Waitaha contribution to the Wairākei Stream Corridor Cultural Management Plan, and is in relation to Resource Consent 63636 conditions 10.6 and 10.7.

The report includes:

- Identification of areas of cultural significance within and adjacent to the relevant part of the Wairākei Stream Corridor.
- Recognition of cultural values for the Wairākei Stream, including measures to protect and enhance.
- Setting out cultural practices which occurred along or adjacent to the Wairākei Stream Corridor and / or cultural practices that tāngata whenua wish to continue to undertake.
- Cultural recognition elements.

The cultural recognition elements could include:

- carved pou, fencing, gateway features (especially where the Wairākei stream bisects roads and in the vicinity of any cultural sites);
- elements to be incorporated into any existing and future bridges/culverts of the Wairākei Stream (where practicable);
- planting of native species of cultural importance to tangata whenua;
- cultural elements

In relation to any boardwalk/cycle way features or other structures within the Wairākei Stream corridor, planting of native species of cultural importance to tangata whenua.

#### 5.23 Ngai Te Rangi and Te Whanau o Tauwhao Te Ara ō Wairākei Cultural Plan (no date)

This plan was prepared by Te Ohu Taiao o Ngāi Te Rangi on behalf of Te Rūnanga o Ngāi Te Rangi Iwi Trust and Te Whānau a Tauwhao.

The plan identifies areas of cultural significance within and adjacent to relevant parts of Te Ara ō Wairākei and provides methods for recognition of cultural values for Wairākei, including measures to protect and enhance the following; resources and areas of significance to tangata whenua, customary practices, the 'mauri' of Wairākei stream, mahinga kai, tuna habitat, and waka portage.

#### 5.24 Ngapotiki Cultural Management Plan for the Wairākei Stream, June 2016

This report is a preliminary draft of the cultural management plan for the Wairākei stream. It sets out objectives of the cultural management plan. It has been based on preliminary input and reports by cultural and technical advisors including experts in mātauranga Māori, tāngata whenua customary activity, mahi raranga (weaving) and harakeke, hopu tuna (eeling), koura (freshwater crayfish), and the history of Wairākei. The purpose of this plan is to provide some recognition of the important cultural associations to Wairākei and create a plan for restoring the Wairākei – taking it from a state o 'Haumate' to 'Hauora'.

## 6.0 Summary of known tangata whenua concerns, issues, opportunities

This review has identified a number of concerns, issues and opportunities in the literature. Many of these concerns and issues are expected and common responses from tangata whenua groups, particularly in response to coastal urban development. These include social, cultural, environmental and economic development matters. There are also some matters contextual to Te Tumu and iwi/hapū specific. These include:

- The protection of sites and areas of cultural heritage value including koiwi
- The protection and enhancement of waterways
- The retention and development of Māori owned lands
- Papakainga housing
- Cultural recognition and acknowledgment
- Input into design
- Participation and engagement in decision-making processes
- Enhancement of ecological values generally
- Recreation, sport and leisure opportunities

The value of this review and assessment will be not so much in the identification of these concerns, issues and responses, but rather in the development of responses and mechanisms that address them in meaningful ways.

In the sections below we have set out the matters providing a little background and explanation, and some recommended options or responses.

We have set out the matters in an order which we believe does prioritise some matters above others. This is influenced by the frequency the matter has been raised in the literature, our experience in engagement with tangata whenua groups, and understanding of the resources at Te Tumu. This is a guide and should be treated with some caution as tangata whenua groups may prioritise particular issues at a particular time. Tangata whenua groups should be consulted in conjunction with this assessment to confirm that matters are relevant and have been addressed appropriately.

### 6.1 Ngā wāhi tuturu - Sites and areas of significance including koiwi

This matter features strongly in most iwi management plans, statutory documents and statements of evidence. There is a lot of variation in the terms used by iwi and hapū to describe cultural heritage but at its core the outcome sought is the protection of sites and areas of cultural heritage value including koiwi.

Iwi and hapū have identified sites and areas of cultural heritage value as part of the previous City Plan review. The Tumu Pā location and extent was a significant part of that review. A number of sites have been identified in the City Plan as Significant Māori Areas (SMAs), the Wairākei Stream has been identified as significant to Tapuika, Waitaha and Ngā Potiki, and the Kaituna River has been subject to a number of contemporaneous Treaty Settlements, not least the Tapuika Settlement Act which establishes the Te Maru o Kaituna Authority and the requirements to prepare a Kaituna document. There are also sites of significance to Iwi located on the Te Tumu lands, but the specific details are held by Iwi as silent files. Iwi will need to make decisions about disclosing the details of these sites if they wish to pursue protection mechanisms or management methods for these sites. There are also a large number of recorded archaeological sites (physical evidence of pre-1900 human activity) across the Te Tumu lands, but particularly adjacent to waterbodies.

The key issues for ngā wāhi tuturu - sites and areas of significance including koiwi are:

- The continued loss of cultural heritage sites and areas through urban development
- The wish of iwi to retain and protect sensitive information regarding sites and areas of significance, particularly the location of koiwi (human remains)
- Lack of formal access to sites and areas of cultural significance due to restrictions, physical constraints
- Identifying appropriate planning, legal and physical protection of sites and areas of cultural significance regardless of private/public landownership
- The difference between archaeological and cultural spatial extent of sites and areas of significance
- The sensitivity of urban development adjacent to sites and areas of cultural significance.

Some of the solutions or mechanisms that may be appropriate include:

- Identifying and implementing a suite of appropriate protection mechanisms (planning, legal and physical) in consultation with tangata whenua and agreed to by landowners,
  - e.g Planning - SMAs, archaeological landscapes, koiwi (silent file)
  - e.g Legal - covenants, agreements, reserves
  - e.g Physical - vegetation, signage/interpretation, fencing, formal access provided, design of movement (vehicle, pedestrian, bicycle), avoidance
- Identifying and providing for access to sites and areas of significance (where appropriate), with priority to those identified as SMAs and sites of significance adjacent to the Kaituna River
- Nominating the most significant sites and areas of cultural significance for registration under the Heritage NZ Pouhere Taonga Act 2014
- Development and agreement to a Protocol for Te Tumu that addresses the accidental discovery of archaeological sites, koiwi (human remains) and taonga tuturu (artefacts).
- Prepare a heritage assessment of SMAs adjacent to Kaituna River to confirm the spatial extent of the sites in cultural and archaeological terms.
- Developing planning and design solutions that consider the interface/transition between urban and cultural heritage spaces.

## 6.2 The protection and enhancement of the Kaituna and Wairākei Stream

A strong and consistent message in the range of legislative and non-statutory documents and literature is the aspiration to protect and enhance the ecological and cultural values within Wairākei Stream corridor and Kaituna River. Examples of this are the conditions of the Comprehensive Stormwater Consents for Papamoa East which require the preparation and implementation of a Wairākei Landscape Plan and Cultural Management Plan; and the establishment of the Te Maru o Kaituna River Authority with a role in the restoration, protection, enhancement of environmental cultural, and spiritual health and well-being of the Kaituna River. This is supplemented by the launch of the Kaituna Document in 2018.

Key issues for the Te Tumu project with regards to protecting and enhancing the Kaituna River and Wairākei Stream include:

- The Wairākei and Kaituna River are both significant waterbodies to tangata whenua
- The poor ecological state of the Wairākei Stream

- The Wairākei Stream has been heavily modified and is located on a number of separate properties. Its current physical extent is not necessarily reflected or consistent with the legal boundaries or statutory descriptions of the Wairākei Stream.
- Only a small portion of indigenous fauna and flora species is left as the landscape has been largely modified from its natural state. Urban development may remove or diminish the remnant and significant ecological areas.
- Lack of access to the Kaituna River and sites of significance
- Lack of physical recognition of the special relationship between tangata whenua and the Kaituna River at sites of significance adjacent to the Kaituna River
- Tangata whenua are not participating in restoration, protection and enhancement projects for the Kaituna River. There are few opportunities to enhance the extent and quality of wetlands in the lower Kaituna catchment
- Information on the environmental state of the Kaituna River is not accessible to iwi agencies
- Kaitiakitanga (guardianship) and rangatiratanga (autonomy, authority, and ownership) are not integrated into the management of land use, access to the river and protection of cultural heritage in specific locations in the catchment
- The presence of plant pests
- Tangata whenua oppose the discharge of wastewater to the Kaituna River.

Some of the solutions or mechanisms that may be appropriate include:

- The Stage 2 Wairākei Stream Corridor Landscape Plan and Wairākei Stream Cultural Management Plan to be developed and implemented in consultation with Māori landowners and tangata whenua groups. This should include the removal of plant pests
- Consider a similar approach (Wairākei Stream Corridor Landscape Plan and Wairākei Stream Cultural Management Plan) for the areas adjacent to the Kaituna River
- Clarify with tangata whenua options for access to the Kaituna River
- Clarify with tangata whenua that sites of significance have been identified and appropriate protection mechanisms are in place including access
- Clarify with tangata whenua if there are other sites not identified in IMP that may require recognition. Clarify with tangata whenua if sites of significance including taonga waka adjacent to the Kaituna River within the Te Tumu project area should be identified (if not already) and recognised appropriately
- Support collaborative relationships that foster and enable sustainable industry and business practices to actively enhance the Kaituna River
- Clarify with tangata whenua if sites of significance adjacent to the Kaituna River within the Te Tumu project area should be recognised with pou or other appropriate markers. Pou and other appropriate markers are erected adjacent to the Kaituna River where considered appropriate by iwi, to indicate sites of special significance
- Technical reports are accessible to tangata whenua through an appropriate online or cloud based system. Information on the environmental state of the Kaituna River is regularly exchanged between iwi and relevant agencies (through provision of technical documents) and meetings with a forum
- Significant ecological areas precluded from development
- Projects for Wairākei Stream to include restoring stream and wetland ecosystems
- Ecosystem health, habitats that support indigenous vegetation and species, and wetlands within the Kaituna River are restored, protected and enhanced. Explore opportunities to



create, increase and enhance the extent and quality of wetlands in the lower Kaituna catchment

- Replanting of native vegetation along the river banks, stopbanks, and ridges of the waterways
- Wastewater is reticulated.

### 6.3 Whenua Māori – The development of Māori owned land

The development of Māori land has not been widely promoted through iwi management plans, cultural impact assessments and other literature. The SmartGrowth Strategy has the strongest support for development of Māori land as a matter of principle.<sup>16</sup>

- *Tangata whenua are enabled in the use of their lands and waters to the fullest extent practicable to meet the needs of their people and wider community.*

There are two iwi management plans, the draft Ngāti Whakaue ki Maketu Management Plan and the 7B1 Land Trust Hapu Management Plan which promote Māori land development. Te Tumu Kaituna 14 Trust, with the second largest Block in the Te Tumu lands has promoted significant development on its lands through proposals which underpin the draft sturture plan and the necessitate the future plan change.

The issues identified regarding the development of Māori land include:

- Barriers to development of Māori land including the current zoning which precludes urban development until such time as the land has been rezoned urban
- Avoid Māori land blocks being landlocked
- Lack of affordable housing, community facilities and educational facilities (e.g. kohanga reo, kura kaupapa)

Some of the solutions or mechanisms that may be appropriate include:

- Rezoning Māori land to deliver options for development should they wish to do so
- Provision of infrastructure to or nearby to allow access and development options in the future
- Meeting with Māori Land Trusts to confirm the nature and scope of development they would support on their lands
- The provision of a zone that allows housing for landowners and descendants on 7B1 as appropriate.

### 6.4 Employment

Waitaha, Ngāti Pukenga, Ngāti Whakaue and to a limited extent Tapuika have supported the creation of employment opportunities for their people. Ngāti Whakaue support economic development initiatives within Te Tumu, Wairākei and Rangiuru where there are associated benefits to Ngāti Whakaue ki Maketū (e.g. environmental enhancement and employment).

Waitaha want to develop and create opportunities for their people to be employed. They want to create and develop trade training schemes or programmes, and build and strengthen relationships

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<sup>16</sup> SmartGrowth Strategy 2013, section 11.5, p84

with local businesses, organisations and institutes that will support employment pathways (i.e. on-the-job training, apprenticeships, work experience, and cadetships).

The issues identified regarding the employment include:

- The lack of employment opportunities
- The lack of diversity in available employment
- The lack of sustainable employment
- The lack of outsiders understanding cultural relationship to economic imperatives

Some of the solutions or mechanisms that may be appropriate include:

- The Structure Plan and Plan Change enables commercial and employment opportunities through zoning and infrastructure
- The development of the lands will facilitate the need for a significant number of construction and service industry staff
- Check to see if there has been any economic feasibility and assessment conducted to identify the types of business and commercial activity that will occur as a result of the urbanisation of Te Tumu.

## 6.5 Cultural recognition, participation and consultation

Much of the literature emphasises the desire of tangata whenua to be informed, consulted, and engaged. This is not surprising or new. The Deeds of Settlement, their empowering legislation and the iwi management plans set out the role and function of iwi governance entities in resource management but also underline the aspirations for greater iwi and hapu autonomy and self-governance.

Cultural recognition, participation and consultation are the norms in modern New Zealand resource management practise. Tauranga City Council has a complex and sophisticated framework of engagement with tangata whenua of the Tauranga City. This ranges from monthly engagement with the Manawhenua Partnership made up of some 18 iwi and hapu, formal relationships with individual iwi and hapu, governance, policy and project involvement, and training and development programmes. The Te Tumu project does present interesting challenges to this framework due to its location at the geo-political boundary of Tauranga Moana and Te Arawa and the underlying phases of occupation, settlement, conquest and overlapping resource use. This means there may need to be some tailor-made solutions to ensure cultural recognition, participation and consultation is achieved in a meaningful way.

The issues identified regarding cultural recognition, participation and consultation include:

- There are three hapu who are not part of the Tauranga Moana Tangata Whenua Collective or the SmartGrowth Combined Tangata Whenua Forum and have interests in the Te Tumu lands; these being Ngāti Rangiwewehi, Ngāti Rangiteaorere and Ngāti Uenukukōpako. This means they are not part of strategic sub-regional and district decision-making
- There are a large number of iwi and hapu with interests in the Te Tumu project (at least 10). This makes engagement with each group difficult to maintain over a long period
- There are a number of statutory acknowledgements which have process and information requirements for resource consent applications. There will also be potential future statutory acknowledgements as iwi settle their Treaty claims
- Tangata whenua groups want to develop and implement protocols (or already have protocols) that manage the accidental discovery of archaeological features, koiwi (human

remains) and taonga tuturu. It is implicit in these protocols that tangata whenua will participate in their implementation

- Tangata whenua want to be informed and have access to technical information
- Tangata Whenua want to use Māori Design Principles to guide methods for celebrating traditional place names; capturing and expressing hapū narratives creatively and appropriately and acknowledging significant sites and cultural landmarks. Tangata whenua want to be involved in the naming of road and street names
- There is no formal relationship between tangata whenua and landowners and developers going forward
- There is a wish to have regular meetings outside the working party
- There does not seem to be any social procurement options
- Tangata whenua wish to be consulted on telecommunication towers
- Tangata whenua want to be involved in any decision making that will affect their customary or traditional practices of food gathering
- Tangata whenua want to be involved in the management of sites of significance.

Some of the solutions or mechanisms that may be appropriate include:

- Invite Ngāti Rangiwewehi, Ngāti Uenukukopako and Ngāti Rangiteaorere to join the Tauranga Moana Tangata Whenua Collective, and/or establish a formal relationship with the hapu that relates to the Te Tumu lands
- Explore the potential for the Te Tumu Tangata Whenua Working Group continuing its role following the Plan Change to facilitate participation and involvement of tangata whenua in the implementation of urban growth at Te Tumu. This could potentially include landowners.
- Incorporate requirements of statutory acknowledgements in consenting team procedures. This relates to the Tapuika (Kaituna River), Waitaha (Wairākei Stream), and possibly Ngapotiki (Wairākei Stream) and possibly Ngai Te Rangi (Coastal area).
- Develop a single protocol (for archaeology, koiwi and taonga tuturu) in consultation with tangata whenua groups and landowners
- Technical reports are accessible to tangata whenua through an appropriate online or cloud based system. Information on the environmental state of the Kaituna River is regularly exchanged between iwi and relevant agencies (through provision of technical documents and meetings with a forum).
- With regard to Māori design principles, iwi and hapu articulate their aspirations in cultural impact assessments, workshops of Tangata Whenua Working party and submissions to the proposed plan change.
- Explore avenues for participation of tangata whenua in decision-making and management of sites of significance, customary resources and other issues of importance to tangata whenua. These could include the Tangata Whenua Working party, formal relationships and protocol(s).

## 6.6 Enhancement of ecological values of wetlands, dunes, waterways

The issues related to ecological values fit mostly within the matters raised in section 6.2 above, the protection and enhancement/conservation of the Kaituna River and the Wairākei Stream. The key difference is that this group of issues identified in the literature is broader and wider in scope than the two waterways. This section should be read in conjunction with section 6.2.

The issues identified regarding ecological values of wetlands, dunes and waterways include:

- The loss of indigenous habitat and biota
- The loss of mahinga kai
- The protection of foredunes (ecological and sites of significance)
- Tangata whenua want ecosystem health, habitats that supports indigenous vegetation and species, and wetlands within the Kaituna River restored, protected and enhanced
- Tangata whenua want [Council] to identify, maintain and improve ecosystems that support and sustain indigenous flora and fauna.
- Explore opportunities to create, increase and enhance the extent and quality of wetlands in the lower Kaituna catchment.
- Tangata whenua support and promote the removal of pests.

Some of the solutions or mechanisms that may be appropriate include:

- Identification of indigenous habitat, significant ecology and sites of significance has been conducted as part of the review of the City Plan and the Te Tumu project. Further review of this work could be conducted at a later date.
- Stage 2 Wairākei Stream Corridor Landscape Plan and Wairākei Stream Cultural Management Plan to be developed and implemented in consultation with Māori landowners and tangata whenua groups.
- Replanting of native vegetation along the river banks, stopbanks, and ridges of the waterways. A planting programme implemented that concentrates on the river / stream / estuary banks.
- Significant ecological areas precluded from development.

## 6.7 Improved land practises and design

This matter is raised directly in the Tapuika and Ngāti Pukenga iwi management plans, and obliquely in other plans. A range of terms are used indiscriminantly; best practise, sustainable land practise, good practise and others. In essence this matter has been couched more as an opportunity to reducing effects of development, maintaining or enhancing natural character and landscape values and incorporating high quality design elements. In this area one issue identified has been land erosion caused by deforestation, quarrying, farming run-off, roading, recreational activities and mining.

Some of the solutions or mechanisms identified in literature include:

- Fine tuning proposed stormwater system with tangata whenua
- Incorporating Māori Design principles, low impact design and development and energy use efficiency measures
- Introduction of pervious surfaces and water conservation and use efficiency measures
- Height restrictions of buildings at Te Tumu
- Building colours that are sympathetic to the natural environment to minimise the landscape effects of development on Maketū
- Public transport use to reduce reliance on motor vehicles
- Large-scale landscaping of locally sourced native plants
- Fruit trees, rongoā plants and cultural materials (e.g. harakeke) in communal areas such as reserves and open spaces.

## 6.8 Water quality

This matter relates to stormwater and wastewater. The literature confirms tangata whenua opposition to the discharge of wastewater to waterbodies as a matter of principle. In the Te Tumu context this is opposition to the discharge of wastewater to the Kaituna River, Wairākei Stream and the coastal waters. The Te Tumu project is predicated on a reticulated system that will transport all wastewater including greywater to the Te Maunga Treatment Plant. The consents have been achieved for stormwater (Papamoa East Comprehensive Stormwater Consents), these taking into account the concerns of tangata whenua. It is understood that the proposed stormwater system will look to managing stormwater within the Te Tumu lands, by creating an integrated system that utilises the Wairākei Stream. Flood flows will be managed using the integrated system and a series of wetland structures and a weir.

The issues identified regarding water quality include:

- Opposition to the discharge of wastewater to the Kaituna, Wairākei Stream or coastal waters
- Opposition to the discharge of contaminants to the Kaituna River
- The disposal of stormwater and wastewater are managed so that the ecological and cultural health of the Kaituna River is maintained or improved.
- Small Māori land blocks may wish to pursue composting or septic tank options which will be contrary to this policy.

Some of the solutions or mechanisms identified in literature include:

- Wastewater will be reticulated.
- Stage 2 Wairākei Stream Corridor Landscape Plan and Wairākei Stream Cultural Management Plan to be developed and implemented in consultation with Māori landowners and tangata whenua groups.
- Creation, restoration, replanting and utilisation of wetlands.
- Stormwater consents have been sought and achieved. The approach to stormwater is being developed in consultation with tangata whenua. The current approach involves establishing a series of wetlands, swales and holding ponds that will manage stormwater within the Te Tumu lands. Large storm events will be mitigated through overflow system and wetlands adjacent to the Kaituna River. The stormwater approach will enhance ecological values at Te Tumu.
- Stormwater management will utilise soakage, swales, wetlands and holding ponds.
- Consider the size and scale of composting or septic tank options on small Māori Blocks. It may be uneconomic and impractical for connected infrastructure in some instances (e.g. Constructing infrastructure for 1-2 dwellings).

## 6.9 Natural hazards

This matter has not received much attention in the iwi management plans and other literature reviewed. There are some references to flooding and tsunami response.

The issues identified in the literature regarding natural hazards include:

- The coastal area is a volatile environment and natural forces and human activities can have a significant impact on this area. Storms and flooding expose kōiwi (human bones), increased activities through open access impact on wāhi tapu and areas of significance. Iwi wish to protect significant sites and prevent human activity exposing taonga
- Low-lying land flooding and/or permanent inundation

- Restoring the catchment by encouraging actions that effectively buffer against flooding and drought
- The 7B1 Trust is concerned about risk of tsunami and evacuation plans.

Some of the solutions or mechanisms include:

- Stormwater consents have been granted. The next stage will be implementing these consents in alignment with the conditions and in consultation with tangata whenua groups. The current approach involves establishing a series of wetlands, swales and holding ponds that will manage stormwater within the Te Tumu lands. Large storm events will be mitigated through overflow system and wetlands adjacent to the Kaituna River.
- Several studies have been undertaken including archaeology, special ecological areas, outstanding natural features and important amenity landscapes, natural character areas, natural hazards – flooding, tsunami, liquefaction.
- Roadway access should provide emergency access.
- Dwellings will need to be constructed at levels that recognise risk from tsunami.

### 6.9 Recreation, sport and leisure

Several iwi and groups have identified the importance of sport and recreational needs and activities related to the amenity of their land. Māori land owners of 7B1 wish to pursue opportunities for camping, open space, communal gathering, and retaining the tranquility of the current coastal environment. Some iwi want to make sure that recreational activities do not compromise safety or priorities for restoration, protection and enhancement of the Kaituna River. Other iwi want to understand what the recreation and sporting needs are of the current and future community.

The provision of reserves, open space, and community facilities is part and parcel of urban development. It will be an important and essential element of the Te Tumu urban development to make it attractive and sustainable to a resident community.

There could be further discussion among the tangata whenua working party members regarding expectations of information and principles to apply to consideration of recreation, sport and leisure activities. This might be particularly important in areas adjacent to sites and areas of cultural heritage value, areas adjacent to the Kaituna River and Wairākei Stream and the foredunes.

### 6.11 Opposition to the construction of a bridge between Te Tumu and Maketu and a Marina

This matter has appeared in one iwi management plan. A bridge and a marina has been mooted by one of the landowners, however, there is no formal plan to include a bridge or marina in the structure plan or plan change.

It may be beneficial in understanding the underlying reasons for the opposition to the bridge and marina as the reasons are not articulated in the iwi management plan.

### 6.12 Light spill – night sky

This matter has appeared in one iwi management plan. The issue is the potential reduction in the quality of view of the night sky where there is suburban light spill.

Light spill or light pollution is the unwanted effects of artificial lighting in the night environment. It takes various forms ranging from glare to sky glow and an absence of darkness.

It would be worthwhile to explore and confirm the potential effects of light pollution, who may be affected and identify a range of methods and measures to avoid, remedy or mitigate those effects.

### 6.13 Clean up contaminated sites

One iwi management plan and one cultural impact assessment raise the issue of contaminated sites. Ngāi Te Rangi describe the RENA grounding causing extreme stress to the people of Ngāi Te Rangi because of the huge environmental and cultural impacts from oil contamination of the beaches and outlying islands.

Ngāti Pukenga wants compliance with existing consents including full consultation with iwi where there are contaminated sites. They have a desire to see contaminated sites improved so they are suitable for re-vegetation.

It is not clear if there are any contaminated sites at Te Tumu. The land has been subject to mostly pastoral activity and small scale commercial cropping. It is recommended that the presence of contaminated sites is confirmed with regional council and the presence or not communicated to tangata whenua. If there are contaminated sites present, there should be an explanation of how these sites will be addressed in the development process.



## 7.0 Recommendations

At section 3.3, the report sets out the main implications of the Treaty settlements as they relate to the Te Tumu project. In summary these are process and information requirements. There will be future Deeds of Settlement and legislation for those iwi who have not completed Treaty Settlements that will need to be taken into account, but it is expected that the requirements will be consistent with others.

In regard to Treaty Settlements this report recommends:

- When preparing or amending a district plan, a local authority must recognise and provide for the vision, objectives, and desired outcomes of the Kaituna River document. This is particularly relevant as the Kaituna River is the southern boundary of the Te Tumu lands. The Kaituna River document was launched in June 2018.
- For each resource consent application for an activity within, adjacent to, or directly affecting a statutory area, provide a summary of the application, notice of the application and determine whether the settlement group is an affected party. This will apply for the following areas and group:
  - Kaituna River – Tapuika
  - Coastal Marine Area from Little Waihi to Wairākei – Tapuika
  - Coastal Area from Maketu to Mauao – Waitaha
  - Wairākei Stream – Waitaha
  - Wairākei Stream – Nga Potiki
  - Coastal Marine Area from Waioaro to Maketu – Ngai Te Rangi (entire area) and Nga Potiki (Parakiri to Maketu)
- The above statutory acknowledgements will be included in statutory plans.

In regards to The Kaituna River and the Wairākei Stream consider:

- The Stage 2 Wairākei Stream Corridor Landscape Plan and Wairākei Stream Cultural Management Plan being developed and implemented in consultation with Māori landowners and tangata whenua groups. This should include the removal of plant pests
- Consider a similar approach (Wairākei Stream Corridor Landscape Plan and Wairākei Stream Cultural Management Plan) for the areas adjacent to the Kaituna River
- Clarify with tangata whenua options for access to the Kaituna River
- Clarify with tangata whenua that sites of significance have been identified and appropriate protection mechanisms are in place including access
- Clarify with tangata whenua if there are other sites not identified in IMP that may require recognition. Clarify with tangata whenua if sites of significance including taonga waka adjacent to the Kaituna River within the Te Tumu project area should be identified (if not already) and recognised appropriately
- Support collaborative relationships that foster and enable sustainable industry and business practices to actively enhance the Kaituna River
- Clarify with tangata whenua if sites of significance adjacent to the Kaituna River within the Te Tumu project area should be recognised with pou or other appropriate markers. Pou and other appropriate markers are erected adjacent to the Kaituna River where considered appropriate by iwi, to indicate sites of special significance
- Technical reports are accessible to tangata whenua through an appropriate online or cloud based system. Information on the environmental state of the Kaituna River is regularly

exchanged between iwi and relevant agencies (through provision of technical documents) and meetings with a forum

- Significant ecological areas precluded from development
- Projects for Wairākei Stream to include restoring stream and wetland ecosystems
- Ecosystem health, habitats that support indigenous vegetation and species, and wetlands within the Kaituna River are restored, protected and enhanced. Explore opportunities to create, increase and enhance the extent and quality of wetlands in the lower Kaituna catchment
- Replanting of native vegetation along the river banks, stopbanks, and ridges of the waterways
- Wastewater is reticulated.

In regards to ngā wāhi tuturu - sites and areas of significance including koiwi consider:

- Identifying and implementing a suite of appropriate protection mechanisms (planning, legal and physical) in consultation with tangata whenua and agreed to by landowners,
  - e.g Planning - SMAs, archaeological landscapes, koiwi (silent file)
  - e.g Legal - covenants, agreements, reserves
  - e.g Physical - vegetation, signage/interpretation, fencing, formal access provided, design of movement (vehicle, pedestrian, bicycle), avoidance
- Identifying and providing for access to sites and areas of significance (where appropriate), with priority to those identified as SMAs and sites of significance adjacent to the Kaituna River
- Nominating the most significant sites and areas of cultural significance for registration under the Heritage NZ Pouhere Taonga Act 2014
- Development and agreement to a Protocol for Te Tumu that addresses the accidental discovery of archaeological sites, koiwi (human remains) and taonga tuturu (artefacts).
- Prepare a heritage assessment of SMAs adjacent to Kaituna River to confirm the spatial extent of the sites in cultural and archaeological terms.
- Developing planning and design solutions that consider the interface/transition between urban and cultural heritage spaces.

Some of the solutions or mechanisms that may be appropriate for Maori owned land include:

- Rezoning Māori land to deliver options for development should they wish to do so
- Provision of infrastructure to or nearby to allow access and development options in the future
- Meeting with Māori Land Trusts to confirm the nature and scope of development they would support on their lands
- The provision of a zone that allows housing for landowners and descendants on 7B1 as appropriate.

Some of the solutions or mechanisms that may be appropriate for employment include:

- The Structure Plan and Plan Change enables commercial and employment opportunities through zoning and infrastructure
- The development of the lands will facilitate the need for a significant number of construction and service industry staff

- Check to see if there has been any economic feasibility and assessment conducted to identify the types of business and commercial activity that will occur as a result of the urbanisation of Te Tumu.

In regards to cultural recognition, consultation and participation:

- Invite Ngāti Rangiwewehi, Ngāti Uenukukopako and Ngāti Rangiteaorere to join the Tauranga Moana Tangata Whenua Collective, and/or establish a formal relationship with the hapu that relates to the Te Tumu lands
- Explore the potential for the Te Tumu Tangata Whenua Working Group continuing its role following the Plan Change to facilitate participation and involvement of tangata whenua in the implementation of urban growth at Te Tumu. This could potentially include landowners.
- Incorporate requirements of statutory acknowledgements in consenting team procedures. This relates to the Tapuika (Kaituna River), Waitaha (Wairākei Stream), and possibly Ngapotiki (Wairākei Stream) and possibly Ngai Te Rangi (Coastal area).
- Develop a single protocol (for archaeology, koiwi and taonga tuturu) in consultation with tangata whenua groups and landowners
- Technical reports are accessible to tangata whenua through an appropriate online or cloud based system. Information on the environmental state of the Kaituna River is regularly exchanged between iwi and relevant agencies (through provision of technical documents and meetings with a forum).
- With regard to Māori design principles, iwi and hapu articulate their aspirations in cultural impact assessments, workshops of Tangata Whenua Working party and submissions to the proposed plan change.
- Explore avenues for participation of tangata whenua in decision-making and management of sites of significance, customary resources and other issues of importance to tangata whenua. These could include the Tangata Whenua Working party, formal relationships and protocol(s).

Some of the solutions or mechanisms that may be appropriate for ecological enhancement of wetlands, dunes and waterways include:

- Identification of indigenous habitat, significant ecology and sites of significance has been conducted as part of the review of the City Plan and the Te Tumu project. Further review of this work could be conducted at a later date.
- Stage 2 Wairākei Stream Corridor Landscape Plan and Wairākei Stream Cultural Management Plan to be developed and implemented in consultation with Māori landowners and tangata whenua groups.
- Replanting of native vegetation along the river banks, stopbanks, and ridges of the waterways. A planting programme implemented that concentrates on the river / stream / estuary banks.
- Significant ecological areas precluded from development.

Some of the solutions or mechanisms identified in literature for water quality include:

- Wastewater will be reticulated.
- Stage 2 Wairākei Stream Corridor Landscape Plan and Wairākei Stream Cultural Management Plan to be developed and implemented in consultation with Māori landowners and tangata whenua groups.
- Creation, restoration, replanting and utilisation of wetlands.

- Stormwater consents have been sought and achieved. The approach to stormwater is being developed in consultation with tangata whenua. The current approach involves establishing a series of wetlands, swales and holding ponds that will manage stormwater within the Te Tumu lands. Large storm events will be mitigated through overflow system and wetlands adjacent to the Kaituna River. The stormwater approach will enhance ecological values at Te Tumu.
- Stormwater management will utilise soakage, swales, wetlands and holding ponds.
- Consider the size and scale of composting or septic tank options on small Māori Blocks. It may be uneconomic and impractical for connected infrastructure in some instances (e.g. Constructing infrastructure for 1-2 dwellings).

Some of the solutions or mechanisms identified in literature regarding improved land practises include:

- Fine tuning the proposed stormwater system with tangata whenua
- Incorporating Māori Design principles, low impact design and development and energy use efficiency measures
- Introduction of pervious surfaces and water conservation and use efficiency measures
- Height restrictions of buildings at Te Tumu
- Building colours that are sympathetic to the natural environment to minimise the landscape effects of development on Maketū
- Public transport use to reduce reliance on motor vehicles
- Large-scale landscaping of locally sourced native plants
- Fruit trees, rongoā plants and cultural materials (e.g. harakeke) in communal areas such as reserves and open spaces.

Some of the solutions or mechanisms for addressing natural hazards include:

- Stormwater consents have been granted. The next stage will be implementing these consents in alignment with the conditions and in consultation with tangata whenua groups. The current approach involves establishing a series of wetlands, swales and holding ponds that will manage stormwater within the Te Tumu lands. Large storm events will be mitigated through overflow system and wetlands adjacent to the Kaituna River.
- Several studies have been undertaken including archaeology, special ecological areas, outstanding natural features and important amenity landscapes, natural character areas, natural hazards – flooding, tsunami, liquefaction.
- Roadway access should provide emergency access.
- Dwellings will need to be constructed at levels that recognise risk from tsunami.

The provision of reserves, open space, and community facilities is part and parcel of urban development. It will be an important and essential element of the Te Tumu urban development to make it attractive and sustainable to a resident community.

There could be further discussion among the tangata whenua working party members regarding expectations of information and principles to apply to consideration of recreation, sport and leisure activities. This might be particularly important in areas adjacent to sites and areas of cultural heritage value, areas adjacent to the Kaituna River and Wairākei Stream and the foredunes.

It may be beneficial in understanding the underlying reasons for the opposition in one management plan to the bridge and marina as the reasons are not articulated in the iwi management plan.

In Appendix 1 and 2 are specific responses to matters raised in iwi management plans, statutory and non-statutory documents and other literature. These can provide further detail to the recommendations provided above.

Waitaha and Tapuika but also Ngapotiki, Ngai Te Rangi (including Te Whanau o Tauwhao) and Ngati Whakaue ki Maketu have been heavily involved in resource management processes involving the development of Papamoa and Wairākei since at least 2004. They have consistently responded to and participated in decision-making processes in planning and development along the coast, writing cultural impact assessments, cultural management plans and iwi management plans.

It is understood that several cultural impact assessments are being prepared for the Te Tumu project. These are from Ngāti Whakaue ki Maketu, Uenukukopako, Ngāti Pukenga and possibly others. These may have recommendations supplementary or complimentary to those contained in this report.

At the time of this report the Wairākei Landscape Plan and Wairākei Cultural Plan is in its initial stages of planning and engagement with tangata whenua is to begin shortly. This will be an important project for tangata whenua. Some consideration should be given to extending the coverage of the cultural management plan for the Wairākei Stream to include areas immediately adjacent to the Kaituna River and the sand dunes to address matters raised in the literature regarding the special significance of these areas. Much of these areas have archaeology, significant Maori areas, wahi tapu and ecological habitats that are likely to be excluded from urban development.

## 8.0 References

### **Official**

Affiliate Te Arawa Deed of Settlement 2008

Affiliate Te Arawa Iwi and Hapu Claims Settlement Act 2008

Ngai Te Rangi and Nga Potiki Deed of Settlement 2013

Ngāti Rangiteaorere Deed of Settlement 2013

Ngāti Rangiteaorere Claims Settlement Act 2014

Tapuika Deed of Settlement 2012

Tapuika Settlement Claims Act 2014

Tauranga Moana Iwi Collective Deed of Settlement 2015

Tauranga Maori Trust Board Act 1981

The Kaituna River Document: Kaituna he taonga tuku iho - a treasure handed down

Waitaha Deed of Settlement 2011

Waitaha Claims Settlement Act 2013

### **Non-Statutory Documents**

Kaituna River Re-Diversion Project - Tapuika Cultural Impact Assessment 2014

An Assessment of Cultural Impacts in Relation to the Kaituna Re-diversion and wetland creation project 2014

Brief of Evidence in chief of Dr Des Kahotea

Cultural Impact Assessment Kaituna River Rediversion, Ngāti Whakaue ki Maketu 2014

Evidence of Matiu Dickson (Waitangi Tribunal)

Mauao ki Papamoa Rena Kaitiaki Impact Assessment 2012

SmartGrowth Strategy 2013

Statement of Evidence of Antoine Coffin (Environment Court 2013)

Tapuika Cultural Impact Assessment 2018

Te Tumu Significant Maori Area Assessment 2013

### **Published Works**

Lower Kaituna River and Te Tumu – The Ford Family History from 1907 – 2008

Te Raupatu o Tauranga Moana, Waitangi Tribunal 2004

Tauranga Moana 1886-2006, Volume 1 & 2, Waitangi Tribunal 2010

## Appendix 1 – Review of Iwi and Hapu Management Plans and Relevant Statutory Documents



# **Te Tumu - Iwi and hapū Management Plans Review**

**September 2018**

**Prepared by Antoine Coffin, Te Onewa Consultants Ltd**

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## Te Tumu Kaituna 7B1 Ngāti Te Whetu Hapu Development and Environmental Resource Management Plan 2012

This plan was prepared by Te Tumu Kaituna 7B1 Trust. The Te Tumu Kaituna 7B1 block is located within the Te Tumu project area. The 7B1 block is a 1999 partition for whanau who descend from 8 of the original 26 owners. These descendants are known as Ngāti Te Whetu.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Hapu partition</b>	4	8	<p>Built a home with windmill, solar panel, wood burner and diesel generator.</p> <p>A puna wai Māori (fresh water spring) used.</p>	<p><i>A residential dwelling is located in fore dune system. There is no network electricity, municipal water or wastewater system.</i></p> <p><i>Current structure plan provides for low density (15 dwellings per hectare) on part of the block.</i></p> <p><i>Infrastructure could follow proposed roadway in structure plan.</i></p> <p><i>The freshwater spring (if it is a surface expression) is not identified on any planning maps or schedules.</i></p>	<p><i>Provision for camping and a communal meeting house or centre.</i></p> <p><i>Infrastructure corridor provided through or within proximity of block.</i></p>
<b>Cultural Considerations</b>	5	9	<p><i>‘To create an enabling environment for Ngati Te Whetu to maintain, develop and practise our distinctive culture and value system now and into the future.’</i></p> <p>Ngati Te Whetu wish to reconnect and re-establish themselves on the whenua, through learning, settlement and commercial activity.</p>	<p><i>Passive reserve anticipated in northern part of block.</i></p> <p><i>Settlement provided for in southern portion of block through low density housing.</i></p> <p><i>No commercial activity anticipated in zoning.</i></p>	<p><i>Provision for camping and a communal meeting house or centre.</i></p> <p><i>Infrastructure corridor provided through or within proximity of block.</i></p> <p><i>Passive cultural tourism and learning activity.</i></p>
<b>Environmental sustainability</b>	6	10	<p><i>‘As kaitiaki with mana whenua status, Ngati Te Whetu have custodial responsibility for places of cultural significance – such as Marae, urupā, wāhi tapu and mahinga kai – as well as having a responsibility for all public spaces and spaces in private ownership, particularly where</i></p>	<p><i>Roadway access would provided emergency access.</i></p> <p><i>Dwellings will need to be constructed at levels that recognise risk from tsunami.</i></p>	<p><i>Provision for camping and a communal meeting house or centre.</i></p>

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<p><i>developments may threaten the wellbeing of the wider environment’.</i></p> <p>The Trust is concerned about risk of Tsunami and evacuation plans.</p> <p>Ngati Te Whetu seek to live in the environment rather than implement environmental protectionist regimes.</p>	<p><i>Protection mechanisms for urupā and wāhi tapu is anticipated.</i></p>	<p><i>Infrastructure corridor provided through or within proximity of block.</i></p> <p><i>Passive cultural tourism and learning activity.</i></p>
<b>Papakāinga Housing Development</b>	7	11	<p><i>‘Papakāinga interpretation is varied and means different things to different people. For Ngati Te Whetu it means to build on and occupy ancestral land giving effect to mana whenua status and the holistic ‘live, work and play’ approach that Māori communities were traditionally designed around, intentionally or unintentionally.’</i></p> <p>The Trust has established a Māori Reservation with a purpose: To establish a village site and meeting place for the common use and benefit of the original 105 owners and their descendants.</p> <p><i>‘On the one hand, pathways to financial assistance for Maori housing initiatives on Maori land at a Central Government level are supported, whilst on the other hand, Local and Regional Body policies and practices often negate that support.’</i></p> <p>The Trust is concerned about sustainability and respectable occupation of the land and papakāinga.</p>	<p><i>Passive reserve anticipated in northern part of block.</i></p> <p><i>Settlement provided for in southern portion of block through low density housing.</i></p> <p><i>Trust would be required to meet bylaws, planning rules and other legislative compliance requirements.</i></p>	<p><i>Provision for camping and a communal meeting house or centre.</i></p> <p><i>Infrastructure corridor provided through or within proximity of block.</i></p> <p><i>Passive cultural tourism and learning activity.</i></p> <p><i>A papakāinga zone that provides for RMA and Māori Reservation (TTWMA) outcomes.</i></p>
		13-15	<p><i>Stage 1 Communal Whare, an eco-friendly sustainable whare.</i></p> <p><i>Masterplan – cultural overlay</i></p> <p><i>Masterplan – Perma Zone Plan</i></p>	<p><i>Passive reserve anticipated in northern part of block.</i></p> <p><i>Settlement provided for in southern portion of block through low density housing.</i></p> <p><i>Trust would be required to meet bylaws, planning rules and other legislative compliance requirements.</i></p>	<p><i>Provision for camping and a communal meeting house or centre.</i></p> <p><i>Infrastructure corridor provided through or within proximity of block.</i></p> <p><i>Passive cultural tourism and learning activity.</i></p>

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
					<p><i>A papakainga zone that provides for RMA and Māori Reservation (TTWMA) outcomes.</i></p> <p><i>A conservation zone at foredunes with a cropping and rural activity zone in balance of the block.</i></p>
<b>Hapu (Social Development)</b>	8	17	<i>Enable occupation and activity on the block.</i>	<p><i>Passive reserve anticipated in northern part of block.</i></p> <p><i>Settlement provided for in southern portion of block through low density housing.</i></p> <p><i>Trust would be required to meet bylaws, planning rules and other legislative compliance requirements.</i></p>	<p><i>Provision for camping and a communal meeting house or centre.</i></p> <p><i>Infrastructure corridor provided through or within proximity of block.</i></p> <p><i>Passive cultural tourism and learning activity.</i></p> <p><i>A papakainga zone that provides for RMA and Maori Reservation (TTWMA) outcomes.</i></p> <p><i>A conservation zone at foredunes with a cropping and rural activity zone in balance of the block.</i></p>
	8	18	<i>The Trust resolved that they will make the 4 main project work streams; environment, housing, hapu (social) development and economic opportunities</i>		
	9	20	<p><i>Create an enabling environment by which Ngati Te Whetu can maximise the gain from our assets and to position us to capitalise on opportunities for current and future economic prosperity.</i></p> <p><i>Trust considering:</i></p> <ul style="list-style-type: none"> <li><i>a carbon plants model – climate friendly plants will become the backdrop of all future</i></li> </ul>		

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<ul style="list-style-type: none"> <li>landscape garden design. Palms &amp; ferns are top carbon dioxide absorbing plants</li> <li>a kaumatua retirement model</li> <li>a community based education and training model</li> <li>a cultural hospitality and home stay model and</li> <li>an eco-tourism model</li> </ul>		
<b>Toitu te whenua</b>	10	21	<p>Historical research of the land was completed in 2008 and as a result, we know there are no koiwi (bones) or urupā (burial grounds) on our whenua. The closest existing urupā identified in an Archaeological Survey and Heritage Assessment, is to the west of our block on Te Tumu Kaituna 14 block, near the foreshore.</p> <p>Geoff Hickson, said that as a young person, bones regularly came to the surface in the dunes and they were told to either leave them alone or push them back into the sand, which they did. He also had in his possession on the day a stone artefact that he guessed was a fishing weight for a large seine net.</p>	<p>The fore dune system is included in the city Plan as a scheduled archaeological landscape. Koiwi are known to be present and are discovered in the dunes through erosion.</p> <p>A paper on koiwi management has been prepared. The Tangata Whenua Working Party is considering short and long-term management approaches.</p> <p>The structure plan anticipates a strong protection regime for the foredune system for ecological, natural hazard and cultural heritage reasons.</p>	
<b>Toitu te whenua</b>	10	21	<p>The following plan was devised from priority recommendations made in Phase 1. This initial groundwork prepared us to continue from where we left off in 2009. Some of our imperatives are to:</p> <ul style="list-style-type: none"> <li>Design a cultural boardwalk</li> <li>Initiate rabbit and gorse control</li> <li>Establish communal gardens and a worm farm</li> <li>Initiate re-vegetation of the sand dunes</li> <li>Register Dunes as Waahi Tapu (Historical Places Trust)</li> </ul>	Provided below	Provided below
<b>Toitu te whenua</b>	10	21	<p>Boardwalk - The purpose of a boardwalk is to provide designated walkways for pedestrians, linking our wetlands, coastal, food forest, communal gardens, papakainga and other sensitive areas with little or no impact on the environment.</p>	<p>The structure plan does not show the level of detail such as boardwalks and beach access.</p> <p>The Whakatane District Council structure plan for Piripai shows general access points for</p>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
				<p><i>beach access. This approach could be used at Te Tumu.</i></p> <p><i>A masterplan for Te Tumu and/or individual blocks is probably the best place for identifying boardwalks.</i></p> <p><i>The ecological values will need to be considered in any boardwalk proposals.</i></p>	
<b>Toitu te whenua</b>	10	22	<i>Pest control (animal and plant) using organic and chemical free methods</i>	<p><i>None</i></p> <p><i>A resident population is more likely to facilitate a priority for supporting weed and animal pest control and management on public reserves and lands adjoining public reserves.</i></p>	
<b>Toitu te whenua</b>	10	22	<i>Vermiculture</i>	<i>Small scale vermiculture is unlikely to be an issue, however, commercial scale operations may have reverse sensitivity issues for adjacent residential settlement (odour and attracting vermin).</i>	
<b>Toitu te whenua</b>	10	23	<i>Gardens and cropping. Communal gardens, food forest, medicinal plants.</i>	<i>Ecological values may need to be considered when determining location, nature and scale of gardens.</i>	
<b>Toitu te whenua</b>	10	23-24	<i>Wetland restoration and enhancing biodiversity .</i>	<i>Aligns with enhancing ecological values of dune system and Wairākei Stream.</i>	
<b>Toitu te whenua</b>	10	24	<i>Bee hives to fertilise flowering plants.</i>	<i>Not specifically. May have educational and community engagement opportunities.</i>	
<b>Toitu te whenua</b>	10	24-25	<i>Restoration and protection of the sand dunes</i>	<i>Aligns with enhancing ecological values of dune system, however there may need to community participation and awareness.</i>	
<b>Toitu te whenua</b>	10	25	<i>Register dunes as a waahi tapu.</i>	<i>Not clear what the 'waahi tapu' is in nature and location. The fore dunes are protected</i>	<i>Fore dunes scheduled as an archaeological landscape in TCC City Plan (status quo).</i>

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
				<p>through the TCC City Plan heritage schedules as an archaeological landscape.</p> <p>There could be a SMA that includes the dunes, however this requires assessment and confirmation of the values.</p>	<p>A larger area is recommended for protection (requiring further assessment).</p> <p>A new SMA is recommended (requiring assessment) for the foredunes.</p>

## Tapuika Iwi Management Plan 2014

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Our History</b>	1.1	7	When the Te Arawa waka made landfall at Maketū, Tapuika and his children settled on the lands radiating inland. Tapuika is buried in the ancient urupā of Koaretaia at the former mouth of the Kaituna at Te Tumu.	<p>SMA and archaeological landscapes included in schedules of TCC City Plan for protection.</p> <p>Ken Phillips has recommended a number of archaeological sites including urupā and koiwi finds for protection.</p> <p>It is not known if Koaretaia urupā is located within Te Tumu project area, is included within SMAs and archaeological sites or within areas of potential development.</p>	Identify location of Koaretaia. If located within Te Tumu project area, recommend protection mechanisms.
<b>Te Taiao Moana</b>	3.4	37	THE KAITUNA RIVER FLOWS PAST THE SACRED SANDS OF OUR ANCIENT FORTS TE KOPURA, TE KARAKA, TE PAROA, WHAKARARAUHE, TE MAMAKU, ŌTAIPARIA, TE TUMU, KAKARI AND FINALLY PAPAHIKAHAWAI ON THE SHORE -LINE.	Many of these pā are located within the Te Tumu project area or nearby.	
<b>Te Taiao Moana</b>	3.4	38	Work with Councils regarding long-term planning at Te Tumu and the Tapuika Accidental Discovery Protocol	<p>Tapuika are on TCC Te Tumu Tangata Whenua Working Party and regular meetings held with Tapuika.</p> <p>Koiwi Management Paper and Koiwi Investigation papers have been prepared for consideration by Tapuika and other iwi/hapū groups.</p>	

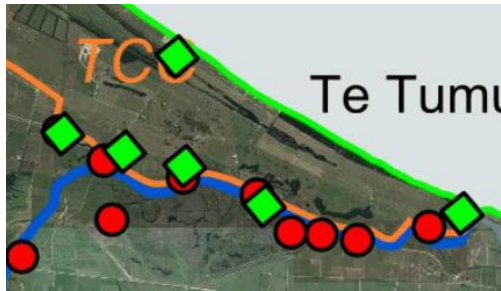


Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
				<i>Archaeological survey has been systematically conducted across the Te Tumu project area.</i>	
<b>Te Taiao Moana</b>	3.4.1	39	<i>Te Tumu is an area of historical settlement and the site of battles in the mid 1830's which focused on the taking of Te Tumu Pā. As a result, there are a number of sites of significance to Tapuika.</i>	<i>Te Tumu Pā is scheduled in the TCC Plan together with several discrete sites associated with settlement and the historic conflict in 1836.</i>	<i>Provide for a range of protection mechanisms that protect the sites and the relationship between them.</i>
<b>Cultural Heritage Wāhi tapu</b>	3.4.2	40	<i>Te Tumu is an area of historical settlement and the site of battles in the mid 1830's which focused on the taking of Te Tumu Pā. It is also an area that is proposed for residential development. Because of the historical association of Tapuika with this area, there is an expectation that Tapuika will be involved in any long term planning for development at Te Tumu.</i>	<i>Tapuika have a Protocol with TCC that sets out the nature of the engagement. There have been more than three specific meetings with Tapuika regarding the Te Tumu project.</i>  <i>Tapuika are represented on the Te Tumu Tangata Whenua Working Party. The working party has had some 10 meetings.</i>	<i>Involvement in long-term planning and implementation through specific provisions of the Protocol and/or a relationship agreement for Te Tumu.</i>  <i>Relationships with major developers facilitated by TCC post-plan change.</i>
<b>Expected outcomes for the coast</b>	3.4.3	41	<i>2. Sites of significance to Tapuika are recognised and protected, in particular those at Te Tumu.</i>	<i>SMA's scheduled in TCC Plan. Seven SoS appear to be within areas excluded from development.</i>  <i>Clarify with Tapuika Iwi Authority that sites of significance have been identified and appropriate protection mechanisms are in place.</i>	
<b>Sites of Significance / Cultural Heritage (Te Tumu)</b>	3.4.4	41	<i>Tapuika is involved in the:</i> <i>i) Long term planning and development at Te Tumu</i> <i>ii) SmartGrowth Settlement Pattern Review to identify potential areas to exclude from excavation and/or development.</i>	<i>Tapuika have a Protocol with TCC that sets out the nature of the engagement. There have been more than three specific meetings with Tapuika regarding the Te Tumu project.</i>	<i>Involvement in long-term planning and implementation through specific provisions of the Protocol and/or a relationship agreement for Te Tumu.</i>

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
				<i>Tapuika are represented on the Te Tumu Tangata Whenua Working Party. The working party has had some 10 meetings.</i>	<i>Relationships with major developers facilitated by TCC post-plan change.</i>
<b>Sites of Significance / Cultural Heritage (Te Tumu)</b>	3.4.4	41	<i>For any resource consent application requiring excavation at Te Tumu: i) Tapuika is consulted as the effects on cultural values may potentially be significant. ii) Onsite earthwork monitoring is undertaken before and during any excavation.</i>	<i>Tapuika have a Protocol with TCC that sets out the nature of the engagement in TCC processes under the RMA.</i>	<i>Review protocol as it relates to Te Tumu following Plan Change process.  Te Tumu Working Party could work on a set of protocols that may be applied to major earthworks associated with infrastructure.</i>
<b>Sites of Significance / Cultural Heritage (General)</b>	3.4.4	42	<i>3. Undertake Cultural Mapping to map cultural and historical sites and areas within the coastal areas of Te Takapū o Tapuika, especially at Te Tumu. This includes mapping traditional place names, urupā, travel routes and sites of significance.</i>	<i>Tapuika have nominated sites of significance to be included in TCC Plan previously. These SMAs are scheduled in TCC Plan. Seven Tapuika SoS appear to be within areas excluded from development.</i>	<i>Clarify with Tapuika Iwi Authority that sites of significance have been identified and appropriate protection mechanisms are in place.  Clarify with Tapuika if there are other sites not identified in IMP that may require recognition.</i>
	3.4.4	42	<i>4. Identify: i) further sites of significance to be included in, and protected by, District Plans. ii) alternative methods of protecting sites of significance to Tapuika.</i>	<i>Tapuika have nominated sites of significance to be included in TCC Plan previously. These SMAs are scheduled in TCC Plan. Seven Tapuika SoS contained in IMP appear to be within areas excluded from development.</i>	<i>Clarify with Tapuika Iwi Authority that sites of significance have been identified and appropriate protection mechanisms are in place.  Clarify with Tapuika if there are other sites not identified in IMP that may require recognition.</i>

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
	3.4.4	42	5. Work with private landowners so that sites of significance to Tapuika can be accessed, maintained and if appropriate, protected.	Tapuika have nominated sites of significance to be included in TCC Plan previously. These SMAs are scheduled in TCC Plan. Seven Tapuika SoS contained in IMP appear to be within areas excluded from development.	Clarify with Tapuika Iwi Authority that sites of significance have been identified and appropriate protection mechanisms are in place.  Clarify with Tapuika if there are other sites not identified in IMP that may require recognition.
	3.4.4	42	6. Ensure that the Tapuika Accidental Discovery Protocol (Appendix 2) takes effect in the event that kōiwi, archaeology and artefacts of Māori origin are uncovered within Te Takapū o Tapuika.	Te Tumu Working Party could work on a set of protocols that may be applied to major earthworks associated with infrastructure.	
	3.4.4	42	7. Ensure that archaeological reports are not the sole source of technical information in relation to the value of a particular site or area. If a site does not have archaeological value, it cannot be assumed that there is no cultural value. Only consultation with Tapuika can determine the cultural value of a site or area.	Tapuika have commissioned to prepare a Cultural Impact Assessment that can provide information to support or fill gaps from archaeological assessments.  Tapuika have nominated sites of significance to be included in TCC Plan previously. These SMAs are scheduled in TCC Plan.	Tapuika Iwi Authority through CIA articulate the values of SoS including archaeological sites.
<b>Coastal Management and Enhancement</b>	3.4.4	43	12. Tapuika opposes the direct discharge of contaminants, especially wastewater, to coastal waters.	Wastewater will be reticulated.  Small Maori land blocks may wish to pursue composting or septic tank options which will be contrary to this policy.  Stormwater management will utilise soakage, swales, wetlands and holding ponds.	
<b>Coastal Management and Enhancement</b>	3.4.4	43	13. Encourage innovative solutions to remedy the long-term effects of discharges on the historical, cultural and spiritual values of coastal water.	Wastewater will be reticulated.	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>When consultation is needed</b>	5.2.1		<i>Tapuika consider themselves an affected party to any activity within 150m of a Scheduled Site of Significance; and a resource consent or concession process when the application relates to: Development, including earthworks, at Te Tumu.</i>	<i>Tapuika have a Protocol with TCC that sets out the nature of the engagement in TCC processes under the RMA.</i>	<i>Review protocol (if required) as it relates to Te Tumu following Plan Change process.</i>
<b>TCC Scheduled Sites of Significance</b>	Appendix 6	85	<i>Te Houhou ki Owairākei Pā Site TCC M73</i> <i>Te Kopua Pa Pā Site TCC M76</i> <i>Te Karaka Pa Pā Site TCC M77</i> <i>Name not stated Burial Ground TCC M78</i> <i>Name not stated Pa Site TCC M79</i> <i>Paroa/Paraoa Pā Site TCC M80</i> <i>Te Tumu Pā Site TCC M81</i>	<i>Located outside Te Tumu project area</i> <i>Located within Te Tumu project area</i> <i>Located within Te Tumu project area</i> <i>Located within Te Tumu project area</i> <i>Located within Te Tumu project area</i> <i>Located within Te Tumu project area</i>	<i>Retain these SMAs in TCC City Plan.</i>
<b>Policies for the Coast – Coastal Management and Enhancement</b>	3.4.4	43	<i>14. Encourage sustainable land management practices, particularly in the lower Kaituna Catchment, to reduce the level of contaminants entering the Ōngātoto/Maketū Estuary.</i>	<i>Introduction of stormwater management approaches and systems that reduce contaminants entering Kaituna River.</i>	<i>Implementation within stormwater consent conditions.</i>
<b>Implications of Certain Cultural Redress Areas</b>	4.1.2	55	<i>Councils must take into account the provisions of the Kaituna River Document.</i>	<i>The Kaituna River document has been published.</i>  <i>An assessment of the document is included in this series of reports.</i>	<i>See review of Kaituna River document.</i>
		9	<i>Map showing Tapuika rohe – Te Takapu o Tapuika. Rohe includes Te Tumu project area and location of five Tapuika Marae.</i>	<i>Tapuika have a Protocol with TCC that sets out the nature of the engagement in TCC processes under the RMA.</i>	
<b>The Land – Te Whenua</b>	3.2	26	<i>Priority Actions: Work with Councils regarding:</i> <ul style="list-style-type: none"> <li><i>opportunities for harvesting customary resources (e.g. harakeke) on Council Land.</i></li> <li><i>the Tapuika Accidental Discovery Protocol (Appendix 2).</i></li> </ul>	<i>Tapuika have a Protocol with TCC that sets out the nature of the engagement in TCC processes under the RMA.</i>  <i>Tapuika identify opportunities for harvesting customary resources in CIA.</i>  <i>Te Tumu Working Party could work on a set of protocols that may be applied to major earthworks associated with infrastructure.</i>	<i>Review Protocol as it relates to Te Tumu following Plan Change process.</i>

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>The Land – Te Whenua</b>	3.2	26	<p>Priority Actions: Work with Councils, other Iwi, external agencies and community groups, landowners regarding:</p> <ul style="list-style-type: none"> <li>access to sites of significance on private land.</li> <li>protection of sites of significance next to road and rail networks.</li> <li>funding to conserve our marae and urupā.</li> <li>potential community housing options.</li> </ul>	<p>Tapuika have a Protocol with TCC that sets out the nature of the engagement in TCC processes under the RMA.</p>	<p>Review Protocol as it relates to Te Tumu following Plan Change process.</p>
<b>Statutory Acknowledgements and Deeds of Recognition</b>	4.1.1	54	<p>17. Coastal Marine Area 25. Kaituna River 27. Kaituna Wetlands</p>	<p>Noted.</p> <p>Review SAs and DoRs to identify any issues, concerns and opportunities.</p>	
<b>Sites of Significance to Tapuika</b>	4.2	59	<p>Map identifies five SMAs in TCC Plan and seven sites of significance to Tapuika within or adjacent to Te Tumu project area.</p> 	<p>Clarify with Tapuika Iwi Authority that sites of significance have been identified and appropriate protection mechanisms are in place.</p> <p>Seven SoS appear to be within areas excluded from development.</p>	<p>Clarify with Tapuika Iwi Authority that sites of significance have been identified and appropriate protection mechanisms are in place.</p> <p>Clarify with Tapuika if there are other sites not identified in IMP that may require recognition.</p>

## Waitaha Iwi Management Plan 2014

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Environment - Consultation</b>	2.1	74	<p>We are to be notified and or well informed prior to any planning or plans being considered for any works/projects to be undertaken in our rohe.</p> <p>We employ a tikanga approach to all environmental issues and initiatives are endorsed.</p>	<p>Waitaha have a member on the Te Tumu Working Party. All minutes and papers are sent to Te Kapu o Waitaha.</p> <p>Waitaha have been offered an opportunity to prepare a CIA.</p>	<p>Have regular meetings with Waitaha outside of regular monthly Te Tumu Working party meetings.</p>

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Environment - Consultation</b>	2.3	76	<i>We want all those engaged in developmental activities in our area of interest to follow environmentally-friendly and sustainable practices that align with our cultural perspective.</i>	<i>Waitaha have a member on the Te Tumu Working Party. All minutes and papers are sent to Te Kapu o Waitaha.</i>  <i>Waitaha have been offered an opportunity to prepare a CIA.</i>	<i>Have regular meetings with Waitaha outside of regular monthly Te Tumu Working party meetings.</i>
<b>Environment – Disturbance or interference of waahi tapu &amp; archaeological sites of significance</b>	2.4	77	<i>Disturbance, interference or any impacts that may adversely affect any waahi tapu or archaeological sites of significance i.e. resources including: any minerals, water, soil, petrol, oil extraction, new roading, Ploughing and V blading of archaeological sites.</i>  <i>Waitaha protocols are established to protect and preserve our taonga and waahi tapu as identified in Te Whakairinga Korero, Tūturu Protocol, Conservation Protocol, and Waitaha Statutory Acknowledgements.</i>  <i>Our position is that all V blading should cease around all archaeological sites. We require proper archaeological research across all sites to prevent further damage.</i>	<i>Waitaha have previously been part of a process to nominate SMAs to be included in schedules of TCC City Plan.</i>  <i>SMAs and archaeological landscapes have been identified for protection from urban development.</i>  <i>Known and recorded wāhi tapu have been included in areas to be protected from urban development.</i>  <i>Archaeological research, survey and assessment has been ongoing since 2000.</i>  <i>Koiwi management and koiwi investigation papers have been prepared for the TTTWWP consideration.</i>	<i>Clarify with Te Kapu o Waitaha that sites of significance have been identified and appropriate protection mechanisms are in place.</i>
<b>Environment – Disturbance or interference of waahi tapu &amp; archaeological sites of significance</b>	2.5	78	<i>Removal of forestry and adverse weather conditions may put wāhi tapu and archaeological sites at risk.</i>  <i>Waitaha protocols are appropriately implemented in accordance with legislation.</i>	<i>Removal of forestry where archaeology is present on the Te Tumu Blocks require archaeological authority's from Heritage NZ.</i>  <i>Wāhi tapu and archaeological sites located within the sand dunes of Te Tumu are subject to natural erosion and adverse weather conditions such as heavy rain and high winds.</i>	<i>Areas which contain wāhi tapu and archaeological sites that have been set aside for protection may require management approaches such as shallow root native vegetation, avoidance of water flow paths.</i>

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<b>Environment – Flora and Fauna</b>	2.6	79	<p>We have only a small portion of indigenous fauna and flora species left as the landscape has been largely modified, degraded or destroyed.</p> <p>We want mechanisms in place to protect all endangered species -- see Section 3.0 for list of endangered species.</p>	<p>Significant ecological areas have been identified and scheduled in the City Plan for protection. These areas are being precluded from urban development.</p> <p>Much of the Te Tumu project area is in pasture or forestry.</p>	<p>There are opportunities to enhance ecological values within Wairākei Stream corridor, foredunes and adjacent to the Kaituna River.</p>
<b>Environment – Waterways, freshwater streams, springs &amp; tributaries</b>	2.8	81	<p>We do not support storm water run-off.</p> <p>We want Councils to revisit and invest money into seeking better systems or technologies that divert from further waterway pollutant contributors.</p>	<p>Stormwater consents have been granted. The next stage will be implementing these consents in alignment with the conditions and in consultation with tangata whenua groups. The current approach involves establishing a series of wetlands, swales and holding ponds that will manage stormwater within the Te Tumu lands. Large storm events will be mitigated through overflow system and wetlands adjacent to the Kaituna River.</p>	<p>Introduction of pervious surfaces.</p> <p>Fine tuning the proposed stormwater system with involvement of tangata whenua.</p>
<b>Employment</b>	3.2	89	<p>We want to develop and create opportunities for our people to be employed. We want to create and develop trade training schemes or programmes.</p> <p>Build and strengthen relationships with local businesses, organisations, institutes that will support employment pathways i.e. on-the-job training, apprenticeships, work experience, cadetships.</p>	<p>The Structure Plan and Plan Change enables commercial and employment opportunities.</p> <p>The development of the lands will facilitate the need for a significant number of construction and service industry staff.</p> <p>Check to see if there has been any economic feasibility and assessment conducted to identify the types of business and commercial activity that will occur as a result of the urbanisation of Te Tumu.</p>	
<b>Social - Housing</b>	3.4	91	<p>Our people living in substandard or poor housing conditions. A key challenge here is that of meeting the expense of setting up infrastructure for the houses.</p>	<p>Water, wastewater, roading and social infrastructure is required for the Te Tumu lands. The costs of this infrastructure will be shared among the landowners and recovered through sales and leases. Some</p>	



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			<i>There are also other factors such as difficulties in whānau members borrowing money to building new houses on land with multiple owners. Need more houses.</i>	<p><i>of the largest landowners are pursuing leasehold arrangements rather than conventional sale.</i></p> <p><i>The Māori land owners are looking at a range of housing arrangements such as leases, communal living, and papakainga.</i></p>	
<b>Social – Recreation and Sports</b>	3.5	92	<p><i>Problems with the burden on families of high transportation costs and access to support for recreation and sports.</i></p> <p><i>Our goal is to establish a Sports &amp; Recreational Health Club and Facilities.</i></p> <p><i>We want to enable change and promote good health. In the long term we want to be able to provide transport (vans, mini-buses) too enable our people to have on-going access to our Sports &amp; Recreational facilities and programmes.</i></p> <p><i>We want to hold regular iwi, hapū participation fun days/events/celebrations/sports tournaments</i></p>	<i>The structure plan and consequential plan change will provide for a significant amount of sport and recreational areas. This could mean future leisure, recreational and sport facilities.</i>	<i>Check to see if there has been a sport and recreation needs assessment conducted for the Papamoa East and Te Puke areas. Identify any matters that should be considered at Te Tumu.</i>
<b>Social – relationships</b>	3.6	93	<p><i>Strengthening strategic linkages with all relative agencies, local government, territorial government, including iwi/hapu and marae.</i></p> <p><i>Having good communicators within the Iwi/Hapū/Marae to develop good relationships across all sectors to help support and strengthen Waitaha Iwi as a whole.</i></p>	<p><i>Waitaha have a member on the Te Tumu Working Party. All minutes and papers are sent to Te Kapu o Waitaha.</i></p> <p><i>Waitaha are represented on the SmartGrowth Combined Tangata Whenua Forum.</i></p>	
<b>Economic – Landuse and tenure</b>	4.1	94	<i>Developers and council take into account Waitaha Iwi Management Plan.</i>	<p><i>This review and assessment is being conducted to take into account relevant planning documents prepared by an iwi authority.</i></p> <p><i>Waitaha have a member on the Te Tumu Working Party. All minutes and papers are sent to Te Kapu o Waitaha</i></p>	

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<b>Economic – Business and employment opportunities</b>	4.2	95	<i>We want existing plans and policies at a Regional and District Council level to reflect our position</i>	<p><i>This review and assessment is being conducted to take into account relevant planning documents prepared by an iwi authority.</i></p> <p><i>Waitaha have a member on the Te Tumu Working Party. All minutes and papers are sent to Te Kapu o Waitaha</i></p>	
<b>Economic – Business and employment opportunities</b>	4.2	95	<p><i>Lack of employment opportunities</i></p> <p><i>Lack of diversity in available employment</i></p> <p><i>Lack of sustainable employment</i></p> <p><i>Lack of outsiders understanding our cultural relationship to economic imperatives</i></p>	<p><i>The Structure Plan and Plan Change enables commercial and employment opportunities through the zoning of land for business, commercial and retail.</i></p> <p><i>The development of the lands will facilitate the need for a significant number of construction and service industry staff.</i></p> <p><i>There is an opportunity to enaggae with significant landowners/developers to share idea on future development.</i></p>	
<b>Economic – Transport and roading</b>	4.3	96	Waitaha landmarks and ancient history is recorded in road names, Street names, parks and reserves	<p><i>The structure plan and plan chnage has not considered this level of detail at present.</i></p> <p><i>Waitaha has indicated that it would like to provide a summary of traditional history for the Te Tumu area.</i></p>	
<b>Economic – Tourism</b>	4.4	97	<p><i>Hapū, Iwi owned and operated businesses, and enterprises;</i></p> <p><i>a) Shops</i></p> <p><i>b) Tourist attractions</i></p> <p><i>c) Small industrial businesses, contractors</i></p> <p><i>d) Tourism opportunities for iwi/hapu</i></p> <p><i>e) Participation in tourism ventures</i></p>	<p><i>The Structure Plan and Plan Change enables commercial and employment opportunities through the zoning of land for business, commercial and retail.</i></p> <p><i>There is an opportunity to enaggae with significant landowners/developers to share idea on future development.</i></p>	

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<b>Economic – Other Economic Impacts or Effects</b>	4.5	98	<i>Economic development is not detrimental to the environment or causes cultural harm.</i>	<p><i>Waitaha have a member on the Te Tumu Working Party. All minutes and papers are sent to Te Kapu o Waitaha.</i></p> <p><i>Waitaha have been offered an opportunity to prepare a CIA, which can identify any potential effects of economic development along with measures which may be able to avoid, remedy or mitigate those effects.</i></p>	

### Kaituna He Taonga Tuku Iho, A Treasure handed Down 2018.

This plan was prepared by the Te Maru o Kaituna River Authority. The Kaituna River runs along the southern and eastern boundary of the Te Tumu project area.

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<b>Co-Governance Area</b>		11	<p><i>The co-governance area includes the lands within the Te Tumu project area.</i></p> <p><i>Section 123 (1) Tapuika Claims Settlement Act 2014. In preparing or amending a regional policy statement, regional plan, or district plan, a local authority must recognise and provide for the vision, objectives, and desired outcomes of the Kaituna River document.</i></p>	<i>The Kaituna River Document, Kaituna He Taonga Tuku Iho, A Treasure handed Down 2018 is a statutory document that must be recognised and provided for to the extent that this is the most appropriate way to achieve the purpose of the Resource Management Act 1991 in relation to the Kaituna River.</i>	
<b>Vision</b>		21	<p><i>E ora ana te mauri o te Kaituna, e tiakina ana hoki mō ngā whakatupuranga ō nāianeī, ō muri nei hoki.</i></p> <p><i>The Kaituna River is in a healthy state and protected for current and future generations.</i></p>		
<b>Objective 1</b>		21	<i>The traditional and contemporary relationships that iwi and hapū have with the Kaituna River are provided for, recognised and protected.</i>	<i>There are ten (10) iwi and hapū represented on the Te Tumu Tangata Whenua Working Party. Four of the six groups from Te Maru o Kaituna are</i>	

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				<i>specifically represented on the working party.</i>	
<b>Objective 2</b>		21	<i>Iwi-led projects which restore, protect and/or enhance the Kaituna River, are actively encouraged, promoted and supported by Te Maru o Kaituna through its Action Plan.</i>	<i>Presented to two meetings of Te Maru o Kaituna.</i>	
<b>Desired Outcomes</b>		21	<i>a Access for tangata whenua to the Kaituna River and identified sites of significance are provided for.</i>	<i>The structure plan does not identify access to the Kaituna River. Sites of significance have been scheduled in the TCC City Plan and identified in the structure plan for protections/avoidance.</i>	<p><i>Clarify with tangata whenua options for access to the Kaituna River</i></p> <p><i>Clarify with tangata whenua that sites of significance have been identified and appropriate protection mechanisms are in place including access.</i></p> <p><i>Clarify with tangata whenua if there are other sites not identified in IMP that may require recognition.</i></p>
			<i>b Pou and other appropriate markers are erected adjacent to the Kaituna River where considered appropriate by iwi, to indicate sites of special significance.</i>	<p><i>The structure plan has not provided for this level of detail.</i></p> <p><i>The cultural impact assessments may identify appropriate methods for recognition of sites of significance.</i></p>	<i>Clarify with tangata whenua if sites of significance adjacent to the Kaituna River within the Te Tumu project area should be recognised with pou or other appropriate markers</i>
			<i>c Priority restoration, protection and enhancement projects are identified by Te Maru o Kaituna in their Action Plan.</i>	<i>Noted</i>	<i>Noted</i>
			<i>d Te Maru o Kaituna members promote and take into account priority projects in their long-term and annual plan processes.</i>	<i>Noted</i>	<i>Noted</i>
			<i>e Information on the environmental state of the Kaituna River is regularly exchanged between iwi and relevant agencies.</i>	<i>A range of technical assessments and reports have been prepared to support the Te Tumu Structure Plan and rezoning process including stormwater, flooding,</i>	<i>Technical reports are accessible to tangata whenua through an appropriate online or cloud based system.</i>

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				<p><i>tsunami, archaeology, ecology, visual landscape, etc. These area available to tangata whenua.</i></p> <p><i>Experts are prepresenting to tangata whenua on the TTTWWP.</i></p>	
			<i>f Appropriate sites along the Kaituna River are identified and set aside for taunga waka (traditional waka landing places).</i>	<p><i>Noted.</i></p> <p><i>The cultural impact assessments may identify appropriate methods for recognition of these sites of signifiance</i></p>	<i>Clarify with tangata whenua if sites of significance including taonga waka adjacent to the Kaituna River within the Te Tumu project area should be identified (if not already) and recognised appropriately.</i>
			<i>g Iwi and hapū associations with the Kaituna River are strengthened through recognition of iwi/hapū management plans in the management of land use, access to the river and protection of cultural heritage.</i>	<p><i>Noted.</i></p> <p><i>This review and assessment is being conducted to take into account relevant planning documents prepared by an iwi authority.</i></p>	
<b>Objective 3</b>		24	<i>Water quality and the mauri of the water in the Kaituna River are restored to a healthy state and meet agreed standards.</i>	<p><i>Stormwater consents have been sought and achieved.</i></p> <p><i>The approach to stormwater is being developed in consultation with tangata whenua.</i></p>	
<b>Objective 4</b>		24	<p><i>There is sufficient water quantity in the Kaituna River to:</i></p> <p><i>a Support the mauri of rivers and streams.</i></p> <p><i>b Protect tangata whenua values.</i></p> <p><i>c Protect ecological values.</i></p> <p><i>d Protect recreational values.</i></p>	<p><i>Stormwater consents have been sought and achieved.</i></p> <p><i>The approach to stormwater is being developed in consultation with tangata whenua.</i></p> <p><i>The water in the Kaituna River is not being abstracted for use in the Te Tumu project area.</i></p>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Objective 5</b>		24	<i>Water from the Kaituna River is sustainably allocated and efficiently used to provide for the social, economic and cultural well-being of iwi, hapū and communities, now and for future generations.</i>	<p><i>Stormwater consents have been sought and achieved.</i></p> <p><i>The approach to stormwater is being developed in consultation with tangata whenua.</i></p> <p><i>The water in the Kaituna River is not being abstracted for use in the Te Tumu project area.</i></p>	
			<p><i>Limits for contaminants in the Kaituna River are established to ensure the water:</i></p> <p><i>i Is clean and safe for swimming in locations where people wish to swim, with specific locations identified and recommended by Te Maru o Kaituna.</i></p> <p><i>ii Provides safe drinking water sources.</i></p> <p><i>iii Is suitable to sustain plentiful kai awa (food sourced from the river) and kai moana (food sourced from the sea) within the Maketū Estuary which is safe to eat. Tuna (eels) are of particular importance; and</i></p> <p><i>iv Is suitable for cultural ceremonies.</i></p> <p><i>b Mātauranga Māori (Māori knowledge) is acknowledged and used as a credible tool alongside science, to support the objectives of The Kaituna River Document.</i></p> <p><i>c Abstraction of groundwater from aquifers is sustainably managed to:</i></p> <p><i>i Protect puna (spring) flows.</i></p> <p><i>ii Meet the relevant objectives in The Kaituna River Document.</i></p>	<p><i>Stormwater consents have been sought and achieved.</i></p> <p><i>The approach to stormwater is being developed in consultation with tangata whenua. The approach includes managing stormwater within the Te Tumu project lands and providing for swales and wetlands during extreme wetter conditions.</i></p> <p><i>The water in the Kaituna River is not being abstracted for use in the Te Tumu project area.</i></p> <p><i>Cultural impact assessments prepared by tangata whenua may identify appropriate methods for measuring contaminant levels at Te Tumu.</i></p> <p><i>The role of managing contaminants in the Kaituna more than likely sits with the Regional Council.</i></p>	
<b>Objective 6</b>		25	<i>The environmental well-being of the Kaituna River is enhanced through improved land management practices.</i>	<i>The Te Tumu project area is subject to a significant change of use from rural uses (farming, horticulture, silviculture), and</i>	<i>The Plan Change documentation will respond to land management practices.</i>

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
				<i>sand mining to urban residential, commercial and conservation.</i>	
<b>Desired outcomes</b>		25	<p><i>a An appropriate mix of rules, incentives and industry leadership is used to improve land management practices.</i></p> <p><i>b Rural land management is improved over time by adopting best practice techniques, taking advantage of technological and information advances and through more efficient use of inputs such as fertiliser, stock or crop quantity and/or outputs such as discharge quality and quantity limits.</i></p> <p><i>c Consented activities for agriculture, forestry, horticulture, industry, urban development, including the disposal of stormwater and wastewater are managed so that the ecological and cultural health of the Kaituna River is maintained or improved.</i></p> <p><i>d Kaitiakitanga (guardianship) and rangatiratanga (autonomy, authority, and ownership) are integrated into the management of land use, access to the river and protection of cultural heritage in specific locations in the catchment.</i></p>	<p><i>The Plan Change documentation will respond to land management practises.</i></p> <p><i>Rural land management will be short to medium term with a transition to urban residential, commercial and conservation.</i></p> <p><i>Stormwater consents have been sought and achieved. The approach to stormwater is being developed in consultation with tangata whenua. The approach includes managing stormwater within the Te Tumu project lands and providing for swales and wetlands during extreme weather conditions. The stormwater approach will enhance ecological values at Te Tumu.</i></p> <p><i>Tangata whenua are represented on a working party and there is likely to be a long-term relationship with tangata whenua during the implementation of the Te Tumu urban development.</i></p>	
<b>Objective 7</b>		26	<i>Ecosystem health, habitats that support indigenous vegetation and species, and wetlands within the Kaituna River are restored, protected and enhanced.</i>	<p><i>Significant ecological areas have been identified and scheduled in the City Plan for protection. These areas are being precluded from urban development.</i></p> <p><i>Wetlands adjacent to the Kaituna River will be protected from urban development.</i></p> <p><i>The cultural impact assessments may provide more detail on the areas and methods for restoration and enhancement.</i></p>	
<b>Desired Outcomes</b>		26	<i>a Identify, maintain and improve ecosystems that support and sustain indigenous flora and fauna.</i>	<i>Significant ecological areas have been identified and scheduled in the City Plan for</i>	<i>Stage 2 Wairākei Stream Corridor Landscape Plan and</i>





Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<i>b Explore opportunities to create, increase and enhance the extent and quality of wetlands in the lower Kaituna catchment.</i> <i>c Promote the removal of pests.</i> <i>d Priority restoration, protection and enhancement projects are identified by Te Maru o Kaituna in their Action Plan.</i> <i>e Te Maru o Kaituna members promote and take into account priority projects in their long-term and annual plan processes.</i>	<i>protection. These areas are being precluded from urban development.</i>  <i>Wetlands adjacent to the Kaituna River will be protected from urban development.</i>  <i>The cultural impact assessments may provide more detail on the areas and methods for restoration and enhancement.</i>	<i>Wairākei Stream Cultural Management Plan to be developed and implemented in consultation with Māori landowners and tangata whenua groups.</i>  <i>Significant ecological areas precluded from development.</i>
<b>Objective 8</b>		27	<i>Te Maru o Kaituna in collaboration with iwi and the wider community enable environmental, economic, social, educational and cultural aspirations for the restoration, protection and enhancement of the Kaituna River.</i>	Noted	Noted
<b>Desired Outcomes</b>		27	<i>a Environmental education programmes are promoted by Te Maru o Kaituna.</i> <i>b Economic development opportunities for iwi and hapū which respect the cultural associations they have with the Kaituna River; promote greater understanding of those associations; and restore, protect or enhance the well-being of the Kaituna River.</i> <i>c Support collaborative relationships that foster and enable sustainable industry and business practices to actively enhance the Kaituna River.</i> <i>d Recreational activities along the Kaituna River do not compromise safety or priorities of Te Maru o Kaituna for the restoration, protection and enhancement of the Kaituna River.</i>	Noted.  <i>Māori Land Trusts have identified some education, economic and tourism opportunities, mostly focussed on land based on conservation and permaculture.</i>	

### Tauranga Moana Iwi Management Plan 2016-2026

This iwi management plan for Tauranga Harbour is a joint Environmental Plan for Ngāti Ranginui, Ngāi Te Rangi and Ngāti Pūkenga. The area of interest for the Tauranga Moana Iwi Management Plan is to the west of the Te Tumu project area.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Ngāti Ranginui</b>	3.2	12	<i>The Ngāti Ranginui area of interest extends from Ngā Kurī-a-Whareī, northwest of Tauranga, inland to the summit of Mount Te Aroha, extending south-east along the Kaimai Range to Pūwhenua and extending south to the Mangorewa River. From the Mangorewa River the boundary extends north-east to Otānewainuku and to coastal Wairakei.</i>	<p><i>Ngāti Ranginui are not represented on the Te Tumu Tangata Whenua Working Party.</i></p> <p><i>Tauranga Moana Tangata Whenua Collective was consulted on representation within Working Party. Ngāti Ranginui was not identified as a group that should be included.</i></p>	
<b>Ngai Te Rangi</b>	3.3	13	<i>Ngāi Te Rangi have 11 operative Marae and 11 affiliated Hapu located as far north as Katikati through to Te Tumu in the east and on the islands of Matakana, Tuhua, Motiti and Rangiwaia.</i>	<p><i>Ngai Te Rangi are represented on the Te Tumu Tangata Whenua Working Party.</i></p> <p><i>Ngai Te Rangi have been offered the opportunity to prepare a cultural impact assessment.</i></p>	
<b>Ngāti Pūkenga</b>	3.4	14	<i>Ngāti Pūkenga describe their ancestral lands and area of interest as extending from Amaru Te Waihi at Tauranga Moana inland to Te Aroha, and south to Pūwhenua and Otānewainuku. From Otānewainuku, the area continues east to the coast at Waihi Estuary in Maketu (including the maunga Kopukairoa, Otara and Otawa) and from there to Amaru Te Waihi</i>	<p><i>Ngāti Pūkenga are represented on the Te Tumu Tangata Whenua Working Party.</i></p> <p><i>Ngai Te Rangi have been offered the opportunity to prepare a cultural impact assessment.</i></p>	

# Ngāti Whakaue ki Maketu Hapu Iwi Resource Management Plan 2009 (Updated 2011)

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Rohe o Ngāti Whakaue ki Maketu Hapu</b>		8		<i>The map 1 Ngāti Whakaue ki Maketu Hapuboundary includes south-eastern portions (Ford Block) including the Kaituna River.</i>	<i>Noted</i>
<b>Registered Interest Area</b>		9		<i>Map 3, registered area of interest from Bell Road to Ngāti Whakaue ki Maketu Hapu Boundary.</i>  <i>It is unclear what the difference is between a registered interest area and the rohe o Ngāti Whakaue ki Maketu. This may relate to being part of the wider Te Arawa ki tai Iwi.</i>	
<b>Types of Consultation</b>		18	<i>Cultural Heritage wāhi tapu areas that are seaward have not been researched by TRONWKM. We have recorded historical accounts of the historical pa sites located within Maketu.</i>		
<b>Estuarine Margins – Freshwater and salt water</b>		22	<i>High cultural significance to tangata whenua:</i> <ul style="list-style-type: none"> <li>• 'Food Bowl' of Te Arawa waka Iwi;</li> <li>• Kaimoana, flax, native vegetation, underground mineral value;</li> <li>• High Maori (native) science values;</li> <li>• Habitat regeneration;</li> <li>• High aesthetic value;</li> <li>• High natural character values associated with vegetation patterns;</li> <li>• High recreational value.</li> </ul>	<i>Noted.</i>	<i>Noted</i>

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Estuarine Margins – Freshwater and salt water Issues and Outcomes (sought)</b>		22	<p>1. The estuarine margins are suffering individually and collectively.</p> <p>2. Maketu Estuary – suffering from sedimentation build up, pollution, lack of native vegetation to create habitats, lack of fresh clean water for the wetlands and estuarine margins.</p> <p>Implement the Kaituna River / Maketu Estuary Strategy to 2012.</p> <p>Local farmers to fence stock away from existing drains, introduction of new wetlands. Planting of native wetland plants along the riparian margins.</p> <p>Cleaning of the wetland areas from noxious / nuisance weeds.</p>	This statement provides guidance in terms of priorities for restoration, protection and enhancement measures for estuarine areas.	
<b>Fresh Water</b>		25	<p>Core values to Ngāti Whakaue ki Maketu</p> <ul style="list-style-type: none"> <li>• High monetary value;</li> <li>• Cultural significance to tangata whenua;</li> <li>• Sustenance of the people, vegetation, native fish, land animals;</li> <li>• High natural science values;</li> <li>• Vital to habitat regeneration;</li> <li>• High in aesthetic value;</li> <li>• Vital natural character values.</li> </ul>	Noted	Noted
<b>Freshwater – Issues and Outcomes (sought)</b>		26	<p>The well-being of both the natural and unnatural freshwater.</p> <p>Implementation of the Kaituna River / Maketu Estuary Strategy and develop a water management strategy.</p>	<p>Role of Regional Council.</p> <p>Many of the strategy actions are incorporated into the Katuna Document. See responses above to these.</p>	
		26	Continue permanent fencing structures to keep live stock away from the drains will improve the quality of water entering the main waterways.		

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<i>Fencing monitored and improved along the waterways and drains. Regional council to educate farmers and promote better care of waterways.</i>		
		26	<i>Discharge of pollutants. Failure to address the cause of discharge as per S13.2.1 &amp; S13.2.2 of the Operative Regional Coastal Environmental Plan 2003. Regional and WBOPDC councils taking responsibility and accountability of the condition discharges are causing to the well-being of the waterways.</i>	<p><i>Stormwater consents have been sought and achieved. The approach to stormwater is being developed in consultation with tangata whenua. The approach includes managing stormwater within the Te Tumu project lands and providing for swales and wetlands during extreme wetaher conditions. The stormwater approach will enhance ecological values at Te Tumu.</i></p> <p><i>Rural land management will be short to medium term with a transition to urban residential, commercial and conservation.</i></p> <p><i>The discharge of pollutants is a concern for Ngāti Whakaue ki Maketu.</i></p>	
<b>Coastal Water</b>	3	27	<p><b>Core Values for Ngati Whakaue ki Maketu:</b></p> <ul style="list-style-type: none"> <li>• High economic / commercial value for TRONWKM;</li> <li>• Cultural value to tangata whenua;</li> <li>• Sustainability of Te Arawa food bowl;</li> <li>• Well-being of fishes, seafood and ecosystems;</li> <li>• High in Maori science values.</li> </ul>		
<b>Coastal Water – Issues and Outcomes (sought)</b>	3	27	<p><i>The loss of kaimoana species in the estuaries and coastal shallow waters. Farmers responsibility to fence off stock from the waterways.</i></p> <p><i>Pollution from the local farms entering the drains that feed into the main waterways. Sustainability for the future generations, highly unlikely if the practices of today are not addressed. Responsibility and accountability of bad practices are addressed.</i></p>	<p><i>This statement provides guidance in terms of priorities for restoration, protection and enhancement measures for coastal areas.</i></p> <p><i>Rural land management will be short to medium term with a transition to urban residential, commercial and conservation.</i></p>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<i>Education programmes introduced into the schools to care for the coastal waters.</i>		
<b>Repo / Wetlands</b>	4	28	<p><i>High cultural significance to tangata whenua:</i></p> <ul style="list-style-type: none"> <li>• <i>A vital natural cleaning water system;</i></li> <li>• <i>A natural value stream;</i></li> <li>• <i>Vital habitat for native fish species;</i></li> <li>• <i>High Maori science values;</i></li> <li>• <i>Economic value;</i></li> <li>• <i>Potential to develop employment opportunities;</i></li> <li>• <i>Sustenance value of people, and waterways;</i></li> <li>• <i>High in recreational and education value.</i></li> </ul>	<p><i>Noted.</i></p> <p><i>Wetlands are an important resource for Ngāti Whakaue ki Maketu.</i></p>	
<b>Issues and outcomes (sought)</b>	4	29	<i>Creation, restoration, replanting and utilisation of wetlands. Wetland restoration given a priority and status as important to improve water quality.</i>	<i>This statement provides guidance in terms of priorities for restoration, protection and enhancement measures for wetlands.</i>	<p><i>Stage 2 Wairākei Stream Corridor Landscape Plan and Wairākei Stream Cultural Management Plan to be developed and implemented in consultation with Māori landowners and tangata whenua groups.</i></p> <p><i>Significant ecological areas precluded from development.</i></p>
<b>Land Acquisition</b>	11	38	<p><i>Core Values for Ngati Whakaue ki Maketu:</i></p> <ul style="list-style-type: none"> <li>• <i>Treaty of Waitangi claims process;</i></li> <li>• <i>Vital to restoring the balance and 'mauri' of tangata whenua;</i></li> <li>• <i>Vital in restoring whakapapa links to the whenua;</i></li> <li>• <i>High in whanau / hapu value;</i></li> <li>• <i>Protection of wāhi tapu areas.</i></li> </ul>		
<b>Land Acquisition</b>	11	38	<i>Waitangi Claims for Ngati Whakaue ki Maketu are still to be brought before the Treaty of Waitangi Tribunal. Restoration of mana whenua. Restoration of whakapapa links for whanau, hapu and iwi to the land.</i>	<i>Noted. There may be statutory acknowledgements along the coastline, the Kaituna River and Crown lands. There may be requirements for Councils to notify Ngāti Whakaue ki Maketu of receiving consents and provide opportunities for input into the decision-making process.</i>	<i>Note the possibility that new Treaty legislation may require participation processes for resource consent applications.</i>

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<i>Future resource consents may require consideration of Treaty Settlements (Deeds of Settlement and legislation).</i>		
<b>Plant Pests</b>	13	39	<p><i>Replanting of native vegetation along the river banks, stopbanks, and ridges of the waterways. A planting programme implemented that concentrates on the river / stream / estuary banks.</i></p> <p><i>Eradication of uncontrollable weeds such as pampus spreading along the river / stream / estuary banks.</i></p>	<i>Noted. This statement provides guidance in terms of priorities for restoration, protection and enhancement measures for wetlands.</i>	
<b>Economic Development</b>	14	40	<p><i>Core Values for Ngati Whakaue ki Maketu:</i></p> <ul style="list-style-type: none"> <li><i>• High cultural significance to tangata whenua;</i></li> <li><i>• Vital to the 'mauri' of tangata whenua;</i></li> <li><i>• Vital to the sustainable well-being of tangata whenua;</i></li> <li><i>• High in retaining whanau / hapu mana whenua.</i></li> </ul>	<i>Noted.</i>	
<b>Economic Development Issues and outcomes (sought)</b>	14	40	<i>Lack of economic development for NWKMH and other coastal communities utilizing the coastal natural resources. Support for future growth in economic development that will benefit coastal rural communities.</i>	<i>Support for economic development that benefits Ngāti Whakaue and other coastal communities noted.</i>	
<b>Economic Development Issues and outcomes (sought)</b>	14	40	<i>Continuous information on new future economic developments. A registration of interest in future economic developments from Wairakei to Otamarakau.</i>	<i>The largest landowners of Te Tumu lands are progressing various economic developments ranging from conventional residential housing to commercial and retail activity.</i>	
<b>Planning Documentation</b>	15	41	<i>Co-Management over the natural resources within the Hapu Boundaries. Greater input into policy and planning decision making.</i>	<i>This may be achieved through Treaty of Waitangi Claims and being an active participant in the different levels of decision-making for the Te Tumu project. These would be SmartGrowth, TCC Collective, Te Tumu Tangata Whenua</i>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
				<p><i>Working party and an affected party in future consents applications.</i></p> <p><i>Te Maru o Kaituna has been established (joint committee) to co-manage the Kaituna River.</i></p>	

## Draft Ngāti Whakaue ki Maketu Hapu Iwi Resource Management Plan 2018

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Te Tumu</b>	8.2 obj24	61	<i>To recognise our values and interests within land use planning and development at Te Tumu, Wairakei and Rangiora.</i>	<p><i>Noted.</i></p> <p><i>This review and assessment is being conducted to take into account relevant planning documents prepared by an iwi authority.</i></p> <p><i>Ngāti Whakaue ki Maketu have two representatives on the TTTWWP.</i></p>	<i>Noted</i>
	24.1		<i>Require land use planning and development to adhere to Low Impact Design and Development.</i>	<p><i>Detailed design and development will occur post plan change.</i></p> <p><i>TCC has prepared low impact design stormwater infrastructure, design standards for transportation</i></p>	
	24.2		<i>Advocate for more reserves, open space and communal spaces to provide a sense of community.</i>	<p><i>At this stage more than 50% of the land available will be constrained by ecological, heritage and natural hazards.</i></p> <p><i>Active and passive recreation spaces, open space and communal spaces will be provided within the urban development.</i></p>	
	24.3		<i>Promote the use of Māori Design Principles, such as celebrating traditional place names; capturing and expressing hapū narratives creatively and</i>	<i>TTTWWP members have input into structure plan and plan change.</i>	<i>Auckland Council has adopted the Te Aranga Principles in the Auckland Design Manual. These could be a useful set of</i>



Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<i>appropriately and acknowledging significant sites and cultural landmarks.</i>	<i>Each iwi/hapu has been given an opportunity to prepare CIAs for the project. These can set out the types of principles that may be seen to be appropriate.</i>	<i>principles that guide and inform methods and techniques for incorporating and recognising special relationships of tangata whenua with the land.</i>
	24.4		<i>Provide for affordable housing, community facilities and educational facilities (e.g. kohanga reo, kura kaupapa) at Te Tumu and Wairakei.</i>	<p><i>Each landowner including the Maori Land Owners have the opportunity to provide affordable housing, community facilities and educational facilities.</i></p> <p><i>The zones will provide for a mix of residential and social infrastructure. At this stage this includes 4 schools, cultural centre, local centre, neighbourhood centre.</i></p>	
	24.5		<p><i>Require:</i></p> <ul style="list-style-type: none"> <li><i>• height restrictions of buildings at Te Tumu.</i></li> <li><i>• large-scale landscaping of locally sourced native plants.</i></li> <li><i>• building colours that are sympathetic to the natural environment to minimise the landscape effects of development on Maketū.</i></li> </ul>	<i>A visual sensitivity assessment has been conducted on structure plan – option 1. The assessment includes recommendations and measures that can mitigate visual effects.</i>	
	24.6		<p><i>Require land use planning and development to encourage:</i></p> <ul style="list-style-type: none"> <li><i>• energy use efficiency measures.</i></li> <li><i>• water conservation and use efficiency measures.</i></li> <li><i>• public transport use to reduce reliance on motor vehicles.</i></li> <li><i>• fruit trees, rongoā plants and cultural materials (e.g. harakeke) in communal areas such as reserves and open spaces.</i></li> </ul>	<i>Noted</i>	<i>Noted</i>
	24.7		<i>Require appropriate street and road names that align with the significance of the land.</i>	<i>This level of detail has not been discussed.</i>	<i>This approach has been taken in other areas such as Tauriko Business Estate, The Lakes residential development, parts of Wairakei.</i>

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
	24.8		Support economic development initiatives within Te Tumu, Wairakei and Rangiuru where there are associated benefits to Ngāti Whakaue ki Maketū e.g. environmental enhancement, employment, etc.	Maori land owners are promoting economic development initiatives within Te Tumu.	
	24.9		Explore opportunities for social procurement. This may include native tree supply and/or planting; pest control and monitoring; and, ground maintenance contracts (e.g. council reserves, public spaces).	This level of detail has not been discussed.  TCC will use normal procurement policies and procedures.	Investigate social procurement options for consideration.
	24.10		Encourage initiatives and use of innovation and technology to reduce the environmental and cultural impacts of stormwater and wastewater generated at Te Tumu, Wairakei and Rangiuru.	Stormwater consents have been granted. The next stage will be implementing these consents in alignment with the conditions and in consultation with tangata whenua groups. The current approach involves establishing a series of wetlands, swales and holding ponds that will manage stormwater within the Te Tumu lands. Large storm events will be mitigated through overflow system and wetlands adjacent to the Kaituna River.	
	24.11		Oppose the discharge of wastewater to waterways.	Wastewater will not be discharged at Te Tumu. Wastewater will be reticulated.	
	24.12		Oppose the development of a marina at Te Tumu	The structure plan does not include a Marina proposal at this time.	
	24.13		Oppose the construction of a new bridge between Te Tumu and Maketū.	The structure plan shows the alignment of a potential bridge at Te Tumu. This proposal is not supported by TCC.  An interchange for SH2 near Bell Road has been designated and is currently in consultation and detailed design stage.	
			Require consultation for the placement of radio wave transmitters and associated structures (e.g. cellphone towers).	This level of detail has not been discussed.  Check to see what the current practise is for placement of radio wave transmitters	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
				<i>and associated structures such as cellphone towers.</i>	
<b>Te Tumu</b>	8.2 obj25		<i>To ensure we have unimpeded views of our celestial landmarks to give effect to, our mātauranga and associated cultural practices</i>	<i>See below.</i>	<i>See below.</i>
	25.1		<p><i>Work with District Councils and developers to reduce and minimise light pollution within urban and rural areas. This includes influencing land use plans and council operations to:</i></p> <ul style="list-style-type: none"> <li><i>a. discourage the use of flood lighting and sports lighting after 11pm at night.</i></li> <li><i>b. discourage the proliferation of illuminated advertising signs.</i></li> <li><i>c. promote street light design, particularly within new subdivisions, which reduce glare and light spill.</i></li> </ul>	<p><i>This level of detail has not been discussed.</i></p> <p><i>Check to see what the current practise is for lighting in residential areas.</i></p>	<i>Prepare a paper on approach to lighting.</i>

## Ngāti Pūkenga Iwi ki Tauranga Trust Iwi Management Plan 2013

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Geography of area of interest for Ngāti Pūkenga</b>		5	<i>Map showing area of interest that includes the lands at Te Tumu.</i>	<i>This map is different to the map on the Te Kahui Mangai website and the map in the Ngāti Pūkenga Deed of Settlement. These latter maps show a wider area of interest.</i>	
			<i>Map 1 and 2 of the IMP identify landowner interests and areas of high cultural significance. These do not include Te Tumu.</i>	<i>Noted</i>	
			<i>The list of general areas of interest identified some 12 areas. Te Tumu is not listed.</i>	<i>Noted.</i>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Land – Te Whenua</b>		15	<p><i>Land erosion – caused by deforestation, quarrying, farming run-off, roading, recreational activities and mining.</i></p> <p><i>We expect to be consulted and participate in monitoring activities. We want consent conditions to mitigate impact during wet seasons, and in areas located near rivers and run-offs. We want to participate in planning and designing practices to lessen impact.</i></p>	<p><i>Ngāti Pukenga are represented on Te Tumu Tangata Whenua Working Party.</i></p> <p><i>Ngāti Pukenga have been commissioned to prepare a CIA to articulate their values associated with Te Tumu.</i></p>	
<b>Land – Te Whenua</b>		15	<p><i>Issues - Land pollution – caused by (H2) farming – run-off, nitrates, leachates and contaminants.</i></p> <p><i>We want to be consulted on all notified consents, and have a monitoring role to ensure conditions are followed. We encourage farmers to improve systems and manage waste materials more effectively – such as riparian planting installing marginal strips and filtering systems.</i></p>	<p><i>Stormwater consents have been sought and granted. The approach to stormwater is being developed in consultation with tangata whenua. The approach includes managing stormwater within the Te Tumu project lands and providing for swales and wetlands during extreme wetaher conditions.</i></p>	
<b>Land – Te Whenua</b>		15	<p><i>Issues - Land use, including Industrial/commercial, timber mills, domestic, dumping, geothermal activities and rezoning.</i></p> <p><i>We want compliance with existing consents – requires full consultation with iwi. We expect to be consulted on ways to clean up sites. Our wish is to see contaminated sites improved so they are suitable for re-vegetation.</i></p>	<p><i>Ngāti Pukenga are represented on Te Tumu Tangata Whenua Working Party.</i></p> <p><i>Ngāti Pukenga have been commissioned to prepare a CIA to articulate their values associated with Te Tumu.</i></p>	<p><i>Check to see if there are any identified contaminated sites on Te Tumu lands. Clarify if there are any plans to address any contaminated sites. Communicate this to TTTWWP members.</i></p>
<b>Land – Te Whenua</b>		16	<p><i>Issues - Control of pests activities: Use of poisons, No 1080 Aerial drops, Noxious weeds.</i></p> <p><i>Our position is that we prefer no aerial drops – want to be involved in consultation to mitigate impacts. Find other options to manage possums and other pests more effectively. We wish to be involved in discussions on ways to mitigate impact.</i></p>	<p><i>Plant weeds are a key issue on Te Tumu lands rather than animal pests. Landowners will have responsibility of weed past management. This will be facilitated by changes in land use.</i></p>	<p><i>Stage 2 Wairākei Stream Corridor Landscape Plan and Wairākei Stream Cultural Management Plan to be developed and implemented in consultation with Māori landowners and tangata whenua groups.</i></p>


Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
					<i>Significant ecological areas precluded from development.</i>
<b>Land – Te Whenua</b>		16	<p><i>Issues - Land interference: Wāhi tapu sites, Pa sites, Urupa (designation). Contact Runanga – for instructions of protocols to be adhered to.</i></p>	<p><i>Ngāti Pukenga are represented on Te Tumu Tangata Whenua Working Party.</i></p> <p><i>Ngāti Pukenga have been commissioned to prepare a CIA to articulate their values associated with Te Tumu.</i></p> <p><i>Ngāti Pukenga were involved in scheduling sites of significance during previous review of the City Plan. SMAs have been included in the TCC City Plan and have been precluded from urban development in the structure plan.</i></p> <p><i>Koiwi Management Paper and Koiwi Investigation papers have been prepared for consideration by Ngāti Pukenga and other iwi/hapū groups.</i></p>	
<b>Water</b>		18	<p><i>Water pollution from; flooding, silting, overflows, contaminants, exploration, minerals, mining, farm run-off, geothermal activity, discharge from septic tanks, commercial use, discharges, river.</i></p> <p><i>Our position is that we must be consulted and involved and want good practices followed.</i></p>	<p><i>Wastewater will be reticulated.</i></p> <p><i>Stormwater consents have been sought and granted. The approach to stormwater is being developed in consultation with tangata whenua. The approach includes managing stormwater within the Te Tumu project lands and providing for swales and wetlands during extreme wetaher conditions.</i></p> <p><i>Ngāti Pukenga are represented on Te Tumu Tangata Whenua Working Party.</i></p> <p><i>Ngāti Pukenga have been commissioned to prepare a CIA to articulate their values associated with Te Tumu.</i></p>	

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<b>Kaimoana, taonga species</b>		19	<i>The Iwi maintains our position as kaitiaki. Be involved in any decision making that will affect our customary or traditional practices of food gathering and species.</i>	<p><i>Ngāti Pukenga are represented on Te Tumu Tangata Whenua Working Party.</i></p> <p><i>Ngāti Pukenga have been commissioned to prepare a CIA to articulate their values associated with Te Tumu.</i></p>	
<b>Housing</b>		22	<i>Consultation on any zoning changes that will affect our Iwi. Goal to set up future papakainga housing for whanau. Mara kai</i>	<p><i>Ngāti Pukenga are represented on Te Tumu Tangata Whenua Working Party.</i></p> <p><i>Ngāti Pukenga have been commissioned to prepare a CIA to articulate their values associated with Te Tumu.</i></p>	
<b>Wāhi tapu</b>		25	<i>Contact Rūnanga to consult and be involved. Our standard position is that in all circumstances, applicants must contact our rūnanga for advice before proceeding. We have procedures and protocols that will be explained at that point and a cultural impact assessment undertaken</i>	<p><i>Ngāti Pukenga are represented on Te Tumu Tangata Whenua Working Party.</i></p> <p><i>Ngāti Pukenga have been commissioned to prepare a CIA to articulate their values associated with Te Tumu.</i></p> <p><i>Koiwi Management Paper and Koiwi Investigation papers have been prepared for consideration by Ngāti Pukenga and other iwi/hapū groups.</i></p>	
<b>Customary and traditional gathering of feathers, keakea, and other taonga</b>		25	<i>We retain our stories myths, tales, legends – and anything pertaining to rights of ownership remains with Ngati Pūkenga. Want to be notified of any use of these.</i>	<p><i>Ngāti Pukenga are represented on Te Tumu Tangata Whenua Working Party.</i></p> <p><i>Ngāti Pukenga have been commissioned to prepare a CIA to articulate their values associated with Te Tumu.</i></p>	
<b>Commercial</b>		27	<i>Create employment opportunities</i>	<i>The Structure Plan and Plan Change enables commercial and employment opportunities.</i>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
				<i>The development of the lands will facilitate the need for a significant number of construction and service industry staff.</i>	

## Ngāti Rangiwarehi Iwi Environmental Management Plan 2012

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Coastal</b>	<i>Ch5</i>	<i>44</i>	<p>Ngāti Rangiwarehi maintains their mana whenua associations with the Te Tumu, Papahikahawai and Te Puke blocks. The lands known as Tumu Kaituna are located to the west of Maketu in the Bay of Plenty. Encompassing the original entrance to the Kaituna River, the Te Arawa canoe is said to have landed at Te Tumu Kaituna at a place called Te Awahou.<sup>19</sup> An area rich in resources, in times past Tumu Kaituna was a place of fierce contest between the people of Ngāpuhi and the inland and coastal tribes of Te Arawa and Ngai Te Rangi.</p> <p><i>The land known as Papahikahawai lies in close proximity to Tumu Kaituna on the East Coast. Living simultaneously between Te Tumu pā and Papahikahawai, Ngāti Rangiwarehi cultivated and grew food crops and harvested and dressed flax in both locations.</i></p>	<p><i>Noted.</i></p> <p><i>Ngāti Rangiwarehi are represented on Te Tumu Tangata Whenua Working Party.</i></p>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
Coastal	Map 12	44		<p>Map showing coastal land Interests of Ngāti Rangiwewehi.</p> <p>This map is also shown as map 18 in the mapbook. Ngāti Rangiwewehi interests are shown as within the Te Tumu Katuna 14 Block.</p>	
Coastal		45	<p>Coastal Issues:</p> <ul style="list-style-type: none"> <li>• Desecration of 'sites of significance' and waahi tapu</li> <li>• Loss of indigenous habitat and biota</li> <li>• Loss of mahinga kai and associated resources</li> <li>• Low-lying land flooding and/or permanent inundation</li> <li>• Consequences of historical practices create greater risks and increased barriers when developing Maori-owned land</li> </ul>	<p>Significant Maori Areas have been included in the TCC City Plan and have been precluded from urban development in the structure plan. This includes Te Tumu Pa.</p> <p>The fore dune system is included in the City Plan as a scheduled archaeological landscape. Koiwi are known to be present and are discovered in the dunes through erosion.</p> <p>A paper on koiwi management has been prepared. The Tangata Whenua Working Party is considering short and long-term management approaches.</p> <p>Significant ecological areas have been identified and scheduled in the City Plan for protection. These areas are being precluded from urban development. Stage 2 Wairākei Stream Corridor Landscape Plan and Wairākei Stream</p>	



Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
				<p><i>Cultural Management Plan to be developed and implemented in consultation with Māori landowners and tangata whenua groups.</i></p> <p><i>Stormwater consents have been granted. The next stage will be implementing these consents in alignment with the conditions and in consultation with tangata whenua groups. The current approach involves establishing a series of wetlands, swales and holding ponds that will manage stormwater within the Te Tumu lands. Large storm events will be mitigated through overflow system and wetlands adjacent to the Kaituna River.</i></p>	
<b>Coastal – Development barriers and risks</b>		45	<i>Development of sensitive coastal environment necessitates specific analysis and reporting of environmental effects</i>	<i>Several studies have been undertaken including archaeology, special ecological areas, outstanding natural features and important amenity landscapes, natural character areas, natural hazards – flooding, tsunami, liquefaction.</i>	
<b>Restoring Stream and Wetland Ecosystems</b>		56	<p><i>The focus of these actions are toward the restoration of stream and wetland ecosystems, as these areas support many of the resources essential for the cultural, social and economic wellbeing of Ngāti Rangiwewehi such as tuna, Harakeke, Rongoa, watercress, etc.</i></p> <p><i>Actions:</i></p> <ul style="list-style-type: none"> <li><i>a) Survey and identify sites for wetland and stream habitat restoration.</i></li> <li><i>b) Prepare manuals and educational materials</i></li> <li><i>c) Develop sites and restore habitats</i></li> <li><i>d) Select sites and plant Harakeke and Rongoa beds</i></li> </ul>	<p><i>This statement provides guidance in terms of priorities for restoration, protection and enhancement measures for stream and wetland ecosystems.</i></p> <p><i>The Wairākei Stream will be the subject of specific management plans.</i></p> <p><i>Wetlands adjacent to the Kaituna River will be set aside from urban development.</i></p>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<i>e) Monitor habitat recovery</i>		
<b>Lands-Whenua</b>		56-57	<i>Restoring the catchment by encouraging actions that effectively buffer against flooding and drought.</i>	<i>Stormwater consents have been granted. The next stage will be implementing these consents in alignment with the conditions and in consultation with tangata whenua groups. The current approach involves establishing a series of wetlands, swales and holding ponds that will manage stormwater within the Te Tumu lands. Large storm events will be mitigated through overflow system and wetlands adjacent to the Kaituna River.</i>	

### Ngaiterangi Iwi Resource Management Plan 1995

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Resource Management Principles</b>	1.4		<i>..the rangatiratanga of hapu and Iwi over their domains is expressly acknowledged in Te Tiriti o Waitangi. Ngaiterangi holds, and must be permitted to give expression to, rangatiratanga over its rohe 'Mai i nga Kuri a Whareki Wairakei'.</i>	<i>Noted. Whilst Ngai Te Rangi has identified its domain to Wairakei, it has ancestral interests in Te Tumu.</i>	
<b>Coastal Foreshore</b>	2.6		<i>The coastal foreshore of Tauranga Moana is a significant cultural and recreational amenity for the Tauranga community. Its continued promotion and use for recreational purposes will be supported. Recreational uses that desecrate or endanger cultural heritage and mahinga mataitai sites will not be permitted.</i>	<i>Noted.</i>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
	2.6		<i>The Mount Maunganui, Omanu, and Papamoa coastal foreshores are to carry a recreational and cultural heritage designation that will give effect to the protection of the recreational and cultural heritage significance of the area.</i>	<i>Fore dunes scheduled as an archaeological landscape in TCC City Plan (status quo). There are also a SMA (M78 - urupā) scheduled in the City Plan.</i>	
<b>Nga waahi tapu and cultural heritage sites</b>	2.7		<i>Promotion of the cultural heritage and protection of cultural heritage sites in Tauranga Moana will be supported in all resource management decisions.</i>	<p><i>The Te Tumu lands were subject to a review of the City Plan, where several SMAs were scheduled in the City Plan for protection.</i></p> <p><i>Archaeological survey has been systematically conducted across the Te Tumu project area since 2000. Further survey is being conducted across the mid-section west to east of the Te Tumu lands.</i></p>	
<b>Nga waahi tapu and cultural heritage sites</b>	2.7		<i>The Ngaiterangi Iwi and hapu shall be involved in the management of sites that are of cultural significance to Ngaiterangi. Activities may be permitted on or around sites that are of high cultural significance provided those activities do not demean the mana or the wairua of the site and the consent of Ngaiterangi has been obtained.</i>	<i>Ngai Te Rangi have a representative on the TTTWWP.</i>	
<b>Nga waahi tapu and cultural heritage sites</b>	2.7		<i>The Papamoa, Te Maunga, Kaitimako, Welcome Bay, and Kairua areas are to carry a designation that identifies them as being cultural heritage areas. Under this designation, subdivisional development of raw land and other types of new development are to have a cultural heritage impact assessment undertaken as a pre-cursor to resource consent applications.</i>	<p><i>Archaeological survey has been systematically conducted across the Te Tumu project area since 2000. Further survey is being conducted across the mid-section west to east of the Te Tumu lands.</i></p> <p><i>Tangata whenua groups have been provided an opportunity to prepare cultural impact assessments for the Te Tumu lands.</i></p> <p><i>The Te Tumu lands were subject to a review of the City Plan, where several</i></p>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
				<i>SMA's were scheduled in the City Plan for protection.</i>	
<b><i>Nga waahi tapu and cultural heritage sites</i></b>	2.7		<i>Resource consent approvals may be require archaeological surveys to be undertaken, or cultural heritage covenants - that restrict or prohibit destruction of part of all or a portion of a site - imposed.</i>	<p><i>Archaeological survey has been systematically conducted across the Te Tumu project area since 2000. Further survey is being conducted across the mid-section west to east of the Te Tumu lands</i></p> <p><i>Significant archaeological sites and landscapes are to be precluded from development areas.</i></p>	
<b><i>Nga waahi tapu and cultural heritage sites</i></b>	2.7		<i>If during the course of development of a block of land, evidence of Maori activity is revealed (e.g. midden, terracing, hangi pits, bones etc), the Ngaiterangi Iwi and other relevant statutory authorities are to be notified immediately. Development is to be deferred until an archaeological survey is carried out. Where archaeological surveys are undertaken either prior to, or during, the development of a particular site, the information from that survey must be made available to the Iwi or hapu concerned, and protocols for its wider dissemination agreed with the Iwi or hapu.</i>	<p><i>Archaeological survey has been systematically conducted across the Te Tumu project area since 2000. Further survey is being conducted across the mid-section west to east of the Te Tumu lands.</i></p> <p><i>Several protocols are already in place with various iwi and hapu groups. Te Tumu may require a single agreed protocol for accidental discovery.</i></p>	<i>Develop a single accidental discovery protocol.</i>
<b><i>Nga waahi tapu and cultural heritage sites</i></b>	2.7		<i>The Mount Maunganui and Papamoa foreshores are sites of high cultural heritage value. The area has numerous ancient urupā, battle sites, mahinga kai and seasonal kainga sites. The sanctity of the area should be understood and protected.</i>	<i>Fore dunes scheduled as an archaeological landscape in TCC City Plan (status quo). There are also a SMA (M78 - urupā) scheduled in the City Plan.</i>	
<b><i>Estuarine and coastal foreshore</i></b>	3.3.4		<i>...the coastal foreshore of Papamoa are to be retained in their natural state.</i>	<i>Fore dunes scheduled as an archaeological landscape in TCC City Plan (status quo). Parts of the fore dunes are also scheduled in the plan as significant ecological areas.</i>	

Voices Nga Korero Whakahiahia o Ngaiterangi me Ngāti Pukenga 1999

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Adhoc development</b>		23	<i>Adhoc development – the need for effective strategic planning by Council was seen as an issue for future development</i>	<i>SmartGrowth was established in 2003, and later tangata whenua representatives were appointed to the Board. A Combined Tangata Whenua Forum has been operating for some time, participating in the decision-making process of identifying opportunities, areas for and managing effects of growth.</i>	
<b>Residential development</b>		24	<p><i>Although many people agreed that there is a lot of value in developing and working the land for both commercial and residential use it was also felt that some of these issues are getting out of hand.</i></p> <p><i>We are moving so fast with houses down here, look at the new sub divisions out papamoa way and that, and still the environment suffers.</i></p>	<p><i>SmartGrowth was established in 2003, and later tangata whenua representatives were appointed to the Board. A Combined Tangata Whenua Forum has been operating for some time, participating in the decision-making process of identifying opportunities, areas for and managing effects of growth.</i></p> <p><i>More than 50 % of the land is constrained from residential development.</i></p>	
<b>Open Spaces</b>		25	<p><i>The vastness of the outdoors and open spaced areas was viewed as on the decrease. Some people voiced concern at the diminishing numbers of open spaces in the rohe.</i></p> <p><i>The designation and perpetuation of wahi tapu is seen as a positive move to ensure that open spaces remain.</i></p>	<p><i>The Te Tumu lands are private lands and not accessible by the public. The development will see an increase of publicly accessible open spaces including active and passive reserves, schools and wetland areas.</i></p> <p><i>The Te Tumu lands were subject to a review of the City Plan, where several SMAs were scheduled in the City Plan for protection.</i></p> <p><i>Fore dunes scheduled as an archaeological landscape in TCC City Plan (status quo).</i></p>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Wahi tapu</b>		27-28	<p><i>Wahi tapu is special...They should definately stay untouched.</i></p> <p><i>Wahi tapu has a special significance tpo maori people and is well respected. Things like urupa shouldn't have tarsealed roads ploughing through them...</i></p>		
<b>Sense of powerlessness imposed</b>		46	<p><i>Council hasn't listened to the Iwi Manageemnt Plan, out-of-teown people have been allowed to come along and contradict the iwi Management Plan and that's not on.</i></p> <p><i>We have meetings with council yet they decide we are powerless, and Council just go ahead and make deciisons anyway, it seesm to me that its just token consultation, they get paid to go to thoses meetyings, our people don't.</i></p>	<p><i>SmartGrowth was established in 2003, and later tangata whenua representatives were apponted to the Board. A Combined Tangata Whenua Forum has been operating for some time, participating in the deciison-making process of identifying opportunities, areas for and managing effects of growth. Ngai Te Rangi is represented on SmartGrowth. Members are remunerated for their attendance.</i></p> <p><i>Ngai Te Rangi are represented on Te Tumu Tangata Whenua Working Party. Members are remunerated for their attendance.</i></p> <p><i>Ngai Te Rangi have been commissioned to prepare a CIA to articulate their values associated with Te Tumu.</i></p>	
<b>The need for Maori to move with its treaty partner</b>		47	<p><i>We should have a Maori unit like they got in Rotorua.</i></p> <p><i>It is essential that iwi stand side by side with council, not one step behind.</i></p>	<p><i>TCC now has a Takawaenga Unit. There is a designated staff members assigned to the Te Tumu project. There is a dedicated independant cultural advisor position.</i></p> <p><i>Ngai Te Rangi are represented on Te Tumu Tangata Whenua Working Party. Members are remunerated for their attendance.</i></p>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options

## Appendix 2 – Review of Cultural Impact Assessments and Other Documents



**Te Tumu Structure Plan and Rezoning**  
**Cultural impact assessments and other documents review**  
**December 2018**  
**Prepared by Antoine Coffin, Te Onewa Consultants Ltd**

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## SmartGrowth Strategy 2013

This strategy and implementation plan was prepared over an 18 month period with a strong focus on the next 20 years. The previous plan had a management focus, this strategy provides a more comprehensive approach. There is a dedicated section to Tangata Whenua matters and several specific actions related to matters Maori. Those matters related to Te Tumu and development have been assessed in this report.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Recognise tangata whenua cultural identity and change</b>	11.4	83	<i>The need to recognise tangata whenua interests and values.</i>	<p><i>A Te Tumu Tangata Whenua Working party has been established to provide input directly into the project.</i></p> <p><i>Tangata whenua have been given the opportunity to prepare CIAs that will set out their values and interests with the project area.</i></p> <p><i>An assessment of iwi management plans has been conducted to identify, understand and review the responses of the project to tangata whenua values and interests.</i></p>	
<b>Recognise tangata whenua cultural identity and change</b>	11.4	83-84	<i>The need to provide for the use of tangata whenua lands and waters.</i>	<p><i>A Te Tumu Tangata Whenua Working party has been established to provide input directly into the project.</i></p> <p><i>Tangata whenua have been given the opportunity to prepare CIAs that will set out their values and interests with the project area.</i></p> <p><i>An assessment of iwi management plans has been conducted to identify, understand and review the responses of the project to tangata whenua values and interests.</i></p> <p><i>Some of the largest landowners of Te Tumu lands are Maori, who are progressing various economic developments ranging from conventional residential housing to commercial and retail activity. Some are wishing to pursue low impact building and cultural education programmes.</i></p>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Recognise tangata whenua cultural identity and change</b>	11.4	84	<i>The need to understand and plan for changing Maori demographics</i>	Noted	
<b>Principles</b>	11.5	84	<i>Maori have the ability and capacity to evolve and express their unique culture, traditions and ways of doing things according to their cultural preferences.</i>	<i>Some of the largest landowners of Te Tumu lands are Maori, who are progressing various economic developments ranging from conventional residential housing to commercial and retail activity. Some are wishing to pursue low impact building and cultural education programmes.</i>	
<b>Principles</b>	11.5	84	<i>Tangata whenua are enabled in the use of their lands and waters to the fullest extent practicable to meet the needs of their people and wider community.</i>	<i>Some of the largest landowners of Te Tumu lands are Maori, who are progressing various economic developments ranging from conventional residential housing to commercial and retail activity. Some are wishing to pursue low impact building and cultural education programmes.</i>	
<b>Principles</b>	11.5	84	<i>The active protection of Maori interests including. a. Ancestral lands, forests, waters, sites, wahi tapu, fisheries and taonga of significance to ensure the mauri, wairua and tapu of resources is sustained for future generations.</i>	<p><i>A Te Tumu Tangata Whenua Working party has been established to provide input directly into the project.</i></p> <p><i>Tangata whenua have been given the opportunity to prepare CIAs that will set out their values and interests with the project area.</i></p> <p><i>An assessment of iwi management plans has been conducted to identify, understand and review the responses of the project to tangata whenua values and interests.</i></p> <p><i>Identified sites of significance have been scheduled in the City Plan for protection. Many other sites are within areas set aside from urban development (fore dunes and areas adjacent the Kaituna River).</i></p>	
<b>Principles</b>	11.5	84	<i>The active protection of Maori interests including: Tangata whenua participation in all levels of governance and management is an outcome of shared decision-making, collaborative relationships, recognition of the mana and rangatiratanga of iwi and hapu, and</i>	<i>Tangata Whenua are active participants in the different levels of decision-making for the Te Tumu project. These would be SmartGrowth, Te Maru o Kaituna, TCC Collective, Te Tumu Tangata Whenua Working party and an affected party in future consents applications.</i>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<i>the special role of tangata whenua as kaitiaki.</i>	<p>A Te Tumu Tangata Whenua Working party has been established to provide input directly into the project.</p> <p>Tangata whenua have been given the opportunity to prepare CIAs that will set out their values and interests with the project area.</p> <p>An assessment of iwi management plans has been conducted to identify, understand and review the responses of the project to tangata whenua values and interests.</p> <p>Some of the largest landowners of Te Tumu lands are Maori, who are progressing various economic developments ranging from conventional residential housing to commercial and retail activity. Some are wishing to pursue low impact building and cultural education programmes.</p>	

### Kaituna River Re-Diversion Project - Tapuika Cultural Impact Assessment 2014

This report prepared by Elva Conroy on behalf of Tapuika assessed impacts on sites of significance, mahinga kai and taunga ika resources, historic modifications of the Kaituna River.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Impact on Sites of Significance</b>	3.1	5	<i>Te Tumu was also the site of battles in the mid 1830's which focused on the taking of Te Tumu Pā. The sand dunes to the east of The Cut are also considered important. Historically many battles have been fought along this part of the coastline where koiwi (human remains) were removed during the 1940s and re-located further up the Kaituna River.</i>	<i>Identified sites of significance have been scheduled in the City Plan for protection. Many other sites are within areas set aside from urban development (fore dunes and areas adjacent the Kaituna River).</i>	
<b>Statements of Association from Treaty</b>	Appendix 1	11	<i>The Kaituna River is the umbilical cord that joins the tribes of the river together. From its commencement at Okere Falls, to the Kaituna plains to its outlet at Te Tumu, the river tribes are joined together through</i>	<i>See response to the Kaituna Document.</i>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Settlement Background Document</b>			<i>whakapapa and a united responsibility to ensure the Kaituna is protected for the generations yet to come.</i>		
Coastal Marine Area Little Waihi to Wairakei	Appendix 1	11-12	<p><i>The traditions of Tapuika affirm the cultural, historic and spiritual association of Tapuika to the coastal marine area from Wairakei stream on the coast at Papamoa to Little Waihi from the arrival of the Te Arawa waka to the present day.</i></p> <p><i>As the Te Arawa waka lay offshore between Motiti Island and the Wairakei stream, Tia stood to taumau (claim) the land for his son Tapuika 'Mai i nga pae maunga ki te toropuke e tu kau mai ra, ki te awa e rere mai ana waiho te whenua ko te takapu o taku tamaiti a Tapuika'. From that range of mountains To the peak in the distance there To the river flowing in the distance I claim this land as the belly of my son Tapuika.</i></p> <p><i>According to Tapuika customary traditions, by naming the land after parts of his son's body Tia rendered the land the claim applied to tapū thus ensuring that the claim for his son would be respected by others.</i></p> <p><i>The ancient path of the Wairakei Stream flowed out to sea at Papamoa. Tapuika would gather tuatua (ocean pipi) at its outlet into the ocean. Wairakei is the acknowledged boundary of the Iwi of Te Arawa waka.</i></p> <p><i>Along the coast midway between Wairakei and Maketū is Kerikeripatuwi the burial place and waahi tapū of the rangātira Tatahau of Tapuika. Kerikeripatuwi is named after the whale bone patu of Tatahau. Tapuika also consider Kerikeripatuwi to be the traditional boundary between Tapuika and one of their neighbouring iwi on the coastline.</i></p> <p><i>Continuing south along the coast are Te Paraoa and Takaihuahua the coastal fishing pā of the Tapuika rangātira Paruhiterangi built above the sand dunes overlooking the sea. Paruhiterangi gifted the two pā to another iwi who had recently arrived in the district. According to Tapuika tradition, many years later Te Koata, seeking revenge for the killing of his father at Te Karaka, a short distance inland on the Kaituna River, reclaimed the two pā for himself and his hapū.</i></p>	<p><i>Clarify with Tapuika Iwi Authority that sites of significance have been identified and appropriate protection mechanisms are in place.</i></p> <p><i>Tapuika have nominated sites of significance to be included in TCC Plan previously. These SMAs are scheduled in TCC Plan. Some Tapuika SoS may not be within areas excluded from development.</i></p> <p><i>Tapuika have commissioned to prepare a Cultural Impact Assessment that can provide information to support or fill gaps from archaeological assessments</i></p>	<p><i>Clarify with Tapuika Iwi Authority that sites of significance have been identified and appropriate protection mechanisms are in place.</i></p> <p><i>Clarify with Tapuika if there are other sites not identified in IMP or CIA that may require recognition.</i></p>

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<p><i>The remnants of the pā can still be seen in the sand dunes today. Continuing further south along the coast is Te Tumu pā, once owned by Tapuika. The Te Tumu Battles of the mid 1830's focused on the taking of this pā.</i></p> <p><i>From Te Paraoa to Te Tumu was the favourite fishing ground for Tapuika. A great variety of fish was caught from shore with an aho (fishing line). Kahawai was fished throughout the year. Juvenile kahu (kingfish) were fished during the summer months as they chased their prey in the shallow waters a short distance from the beach while tamure (snapper) were caught inshore from September to December. Kumukumu (gurnard) was favoured for its tastiness and was caught during the spring</i></p> <p><i>However the aua (yellow eyed mullet) was caught with kaharoa (large seine nets) made by Tapuika living inland. The base of the net was weighted down with mātē (sinkers) with hue (gourds) used as pōito or floats. The ends of the net were attached to a rakau (stick) with each end being dragged along the bottom of the sand trapping the fish as the ends of the nets came together. This method of netting fish could be also undertaken by using two waka. When sufficient fish were collected they would be divided up into individual piles for each family.</i></p> <p><i>A short distance from Te Tumu and just inland from the coast is Papahikahawai. This was an area known for kahawai which would be trapped as they entered the Maketū estuary.</i></p> <p><i>A short distance south of Papahikahawai at the former mouth of the Kaituna River as it flowed into the sea is Koaretaia the burial cave said to contain the bones of Tapuika, his son Makahae and other rangātira of Tapuika.</i></p>		
<b>Recommended Consent Conditions / Mitigation Measures</b>	4.0-4.2	9	<p><i>The recommendations of the report include measures such as site visits, provision for rituals and ceremonies, monitoring of earthworks, accidental discovery protocols, cultural mapping, staging works, participation in wetland restoration, interpretation panels, education and research projects.</i></p>	<p><i>These give an indication of the types of Iwi responses expected to the development of Te Tumu lands.</i></p>	<p><i>Consider site visits to Te Tumu for members.</i></p>

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
				<p><i>TCC already has a set of earthworks protocols and accidental discovery protocols agreed with the TWC.</i></p> <p><i>Tapuika have commissioned to prepare a Cultural Impact Assessment that can provide information to support or fill gaps from archaeological assessments and previous SMA work.</i></p> <p><i>Wetland restoration has not been discussed in any detail.</i></p> <p><i>Interpretation and education/research projects will be discussed post plan change.</i></p>	<p><i>Confirm earthworks and accidental discovery protocols are fit for purpose at Te Tumu.</i></p> <p><i>Explore what the response to wetland restoration, interpretation, education/research projects may be.</i></p>



## Tapuika Cultural Impact Assessment 2018

This report prepared by Hohepa Maxwell on behalf of Tapuika Iwi Authority as part of the Te Tumu rezoning and plan change project. At 116 pages, it is a lengthy and extensive.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Executive Summary</b>	1.0	4	<i>A recommendation to Tauranga City Council naming of the area as 'Tumu Kaituna' in recognition of the unique character of the environment and its historical significance</i>	<i>Noted.</i>	
<b>Executive Summary</b>	1.0	5	<i>Recommendation to Tauranga City Council Recognition of the peoples and culture of Tapuika from the arrival of the Te Arawa Waka 1340 to the present day 700 years occupation within the Takapu Tapuika;</i>	<i>Noted.</i>	
			<p><i>Tangata whenua Mana whenua values is being affected by developments subject to or involving:</i></p> <ul style="list-style-type: none"> <li><i>landscape overlays</i></li> <li><i>maunga (volcanic) and other relevant cultural view shafts</i></li> <li><i>ancestral land</i></li> <li><i>significant ecological areas</i></li> <li><i>coastal marine area</i></li> <li><i>discharges to, or may enter, the sea, rivers, streams, wetlands, aquifers</i></li> <li><i>sites and places of significance to mana whenua</i></li> <li><i>historic heritage overlay sites of significance tangata whenua</i></li> <li><i>statutory acknowledgements</i></li> <li><i>Treaty settlement land</i></li> <li><i>Māori land</i></li> </ul>		
		6	<i>Ruangutu held the Pa site at Pukemaire Maketu his son Tatahau occupied the Pa site at te Karaka.</i>		
	1.03	12	<i>Tapuika and his children settled on the lands radiating inland from Maketu towards Rangiuru. At his death Tapuika was buried in the ancient urupa of Koaretaia at the original mouth of the Kaituna River at Maketu</i>	<i>This statement clarifies that Koaretaia urupa is not located on Te Tumu lands rather near Maketu.</i>	
		17	<i>Tapuika recommendation to Tauranga city Council Te Arawa Waka Iwi Tumu Kaituna Te Arawa Tapuika is seeking legal access portage facilities for the engagement launching of</i>		

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<i>Waka activity continues as a customary practice for ceremonial and sporting from Te Tumu to the Kaituna River location.</i>		
			<p><i>The cultural effects of the activities and land uses proposed within the Te Tumu Urban Growth Area. Tumu Kaituna Pre European occupation; Between Te Tumu Pa and current Bells Rd Jetty there are fourteen (14) significant Tapuika Wahi Tupuna occupation sites settled after the landing of Te Arawa waka some sites were seasonal summer coastal harvesting dwellings and extensive Mara garden cultivations.</i></p> <ul style="list-style-type: none"> <li><i>Six of these sites are located within Te Tumu Kaituna 14 and Carrus Block – Te Karaka, Rapanui, Ngahuruhuru, Te Kaingapakura, Te Tuhi</i></li> <li><i>Four of these sites are located within Te Tumu Kaituna 7-8 – Te Mamaku, Te Paika, Whakararauhe, Te Anu</i></li> <li><i>Four of these sites located on the Ford land Holdings Block – Te Tumu, Otaiparia, Te Paroa.</i></li> <li></li> </ul>		
		19	<i>Recognition of Fourteen (14) Wahi Tupuna Wahi Tapu Sites of significance to Tapuika. Within the Te Tumu there remains fourteen sites of significance they include Tapuika Pa sites Tapuika Wahi Tupuna sites and early Tapuika Mara sites. Tapuika is seeking cultural recognition of sites of significance in accordance with Sec 5,6,7,8 of the Resource Management Act.</i>		
<b>Tapuika Accidental Discovery Protocols</b>		24	<p><i>Tapuika Settlement Claims Act 2014 Accidental Discoveries Protocols</i></p> <div> <div>Heritage NZ Authority</div> <ul style="list-style-type: none"> <li>• Archeologist Koiwi validation Human remains</li> <li>• Tapuika Iwi Monitor Project Manager</li> </ul> </div> <div> <div>On site Iwi Monitor</div> <ul style="list-style-type: none"> <li>• Stop work Archeologist Koiwi Human remains</li> <li>• Stop work call the NZ Police</li> </ul> </div> <div> <div>Accidental Discovery</div> <ul style="list-style-type: none"> <li>• Tumu Kaituna koiwi protective covenant</li> <li>• Tapuika Accidental Discoveries Protocols</li> </ul> </div>		
		24	<i>The 2018 Study of the area of constraints remains as a pre investigation surface overview the study contains inaccuracies of sites of significance the narrative in reference to a subsistence economy sets out a modal of classic neo liberal economic advantage</i>		

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
	1.2.2	24	<i>For a number of reasons Tapuika Te Arawa Waka Iwi may not wish to reveal the location or type of a waahi tapu or waahi tuupuna. However, unless Tapuika Te Arawa Waka Iwi are involved in managing waahi tapu and waahi tuupuna, such 'hidden' sites cannot be appropriately managed</i>		
	1.2.5	29	<i>Protection of identified sites of significance through policy and physical protection is key to avoiding the impacts of activities that may degrade or destroy these sites.</i>  <i>Sites on private lands may need to be protected through working with local authorities, the landowner or through different strategies.</i>		
	1.2.6	29	<i>The coastal area is a volatile environment and natural forces and human activities can have a significant impact on this area. Storms and flooding expose koiwi (human bones), increased activities through open access impact on waahi tapu and areas of significance. Waikato-Tainui wish to protect significant sites and prevent human activity exposing taonga</i>		
<b>Recommendations</b>	6.0	71	<i>Te Tumu Kaituna gateways</i>		
<b>Appendix 2</b>		7	<i>Tangata whenua Mana whenua values is being affected by occupation loading densities and discharge</i>		

## Appendix 1

<b>THE ACTIVITY</b>	<b>CULTURAL IMPACT</b>	<b>MITIGATION OPTIONS</b>	<b>Structure Plan and Plan Change Response</b>
<i>Within the study area Te Tumu advance Maori Well Being</i>	<i>Meeting the needs and support the aspirations of Tamariki and their whānau</i>	<i>Provide legal safe access to sporting and recreation at Tumu Kaituna</i>	
<i>Tangata whenua whanau ora</i>	<i>Invest in marae to be self-sustaining and prosperous</i>	<i>Promote Māori success, innovation and enterprise</i>	
<i>Grow Māori intergenerational well being</i>	<i>Showcase Tangata whenua Māori identity and vibrant Māori culture</i>	<i>Grow Māori intergenerational wealth</i>	
<i>Advance mana whenua rangatiratanga in leadership</i>	<i>Advance mana whenua rangatiratanga and</i>	<i>Celebrate Māori culture and support te reo Māori to flourish</i>	

	<i>decision-making and provide for customary rights</i>		
<i>Recognise and provide for te Tiriti o Waitangi outcomes</i>	<i>Strengthen rangatahi employment outcomes</i>	<i>Strengthen rangatahi leadership, education and</i>	
<i>Reflect mana whenua mātauranga and Māori design principles</i>	<i>Focus study Area including throughout Tauranga Mt Maunganui Papamoa and Te Tumu</i>	<i>Review the 2002 LGA Four well beings for Maori whanau and children within Te Tumu</i>	

## Appendix 2

<b>THE ACTIVITY</b>	<b>CULTURAL IMPACT</b>	<b>MITIGATION OPTIONS</b>	
<i>Tangata whenua Mana whenua values is being affected by occupation loading densities and discharge</i>	<i>Developments including or involving discharges to, or may enter, the sea, rivers, streams, , wetlands, aquifers</i>	<i>Residential densities, retail and light commercial developments subject to or involve acknowledgements treaty settlement Tangata whenua Maori land interests)</i>	
<i>Development projects as potentially causing damage Wahi Tupuna pre European occupation sites of significance at Tumu Kaituna</i>  <i>Damage to Mana whenua Wahi Tapu pre European occupation sites of significance at Tumu Kaituna</i>	<i>Historic heritage overlay sites of significance tangata whenua specific sites of significance focus Wahi Tupuna and Wahi Tapu sites</i>  <i>Historic heritage overlay sites of significance tangata whenua specific sites of significance focus Wahi Tupuna and Wahi Tapu sites</i>	<i>Historic heritage overlay sites of significance tangata whenua specific sites of significance focus Wahi Tupuna and Wahi Tapu sites</i>  <i>Site management protection of sites of significance. Permission for archaeological surveys and excavations</i>	
<i>Tapuika Te Arawa Waka Iwi (TTWI) sites of significance are highly prized areas of land water spatial exhibits and cultural assets that exhibit the following</i>	<i>Areas identified for cultural and spiritual purification cleansing and / or ceremonial purposes, activities, natural places; fisheries and food gathering sites within Tumu Kaituna</i>	<i>Restoration preservation and enhancement of Tumu Kaituna wetlands with incubations ponds for native species fauna and flora research and education</i>	

<i>Planning and re zoning make provision and provide to project a review the 2002 LGA Four well beings for Iwi Hapu Maori whanau and children within Te Tumu</i>	<i>Tapuika Te Arawa waka iwi Tribal importance existing and historical pre European marae , papakaainga (communities) urupaa (burial grounds) monuments and areas of celebration</i>	<i>Engage and provide for mana whenua mātauranga and Māori design principles</i>	
<i>There is no 'One fits all definition' and engagement with mana / tangata whenua with the 2018 study of recoded sites will identify resource use activity sites within Te Tumu</i>	<i>There are broadly accepted types of waahi tapu/waahi tuupuna sites. Tapuika rohe has many areas of significance that are associated to the history of its people, its environment and culture.</i>	<i>After the confiscation of Tapuika lands and the subsequent industry and urban development, many known sites of significance were destroyed, and shifted to the ownership and management of other persons and organisations</i>	

### Appendix 3

<b>THE ACTIVITY</b>	<b>CULTURAL IMPACT</b>	<b>MITIGATION OPTIONS</b>	
<i>Tangible objects within the study area and scope, such as types of heirlooms, artefacts, carvings land and fisheries, those things that are highly prized and derived from iwi, hapuu and whaanau. They are whakapapa connected and are passed on from one generation to the next.</i>	<i>Tapuika Te Arawa Waka Iwi sites have been and continue to be lost, they cannot be replaced and there is no mitigation that can restore its original significance. Therefore Mana / tangata whenua must protect their waahi tapu and waahi tuupuna for the benefit of future generations and to acknowledge the sacrifices of tuupuna</i>	<i>After the confiscation of Tapuika lands and the subsequent industry and urban development, many known sites of significance were destroyed, and shifted to the ownership and management of other persons and organisations.</i>	
<i>Accidental Discoveries of artefacts It is the position of Tapuika Te Arawa Waka Iwi that any taonga of Maori origin within the rohe, is</i>	<i>Taonga such as whakairo (carvings), toki (axes, adzes), koo (digging implements), hiinaki (eel traps) and other objects are</i>	<i>Tapuika. Under the Tapuika Iwi Accord with the Ministry for Culture and Heritage, 'taonga tuku iho' and ownership may also accrue to Tapuika Te Arawa Waka Iwi marae and/or hapuu either</i>	

<i>not subject to the provisions of the Protected Objects Act 1975. Therefore, Tapuika Te Arawa Waka Iwi are the rightful owners of the taonga tuku iho (or taonga tuturu).</i>	<i>considered to be taonga tuku iho to</i>	<i>individually or, in the case of shared interests, collectively</i>	
<i>Tapuika Te Arawa Waka Iwi are the rightful owners of the taonga tuku iho (or taonga tuturu). This ownership may accrue to Tapuika Te Arawa Waka Iwi marae and/or hapuu either individually or, in the case of shared interests, collectively</i>	<i>TTWI are also temporary Custodians of Taonga Tuturu, as defined under the protected objects Act 1975</i>	<i>Therefore, at the point of discovery, within the Te Tumu Development Project area; TTWI is temporary custodian of found taonga until ownership is determined and arrangement's is considered for the transfer of ownership and / or custodian ship</i>	
<p><i>Before site works commence clear protocols exists to manage the site</i></p> <p><i>The potential and actual discovery of wahi tapu and or / taonga tuku iho. Often Tapuika iwi may not want to reveal the location or type of a waahi tapu and waahi tupuna site.</i></p> <p><i>Lack of understanding of who to talk to within Tapuika Te Arawa Waka Iwi and the protocol to be followed can lead to modification and destruction</i></p>	<p><i>Tapuika concerns at the ways that waahi tapu and waahi tupuna sites have been managed whether they be owned privately or by Iwi; that has led to destruction and / or in appropriate use of waahi tapu and waahi tupuna sites. Often Tapuika Te Arawa waka Iwi are not informed of impending use and or / destruction</i></p>	<p><i>Tapuika Te Arawa Waka iwi needs confidence that resource users and activity operations that impact the rohe o Tapuika have clear site management protocols</i></p> <p><i>However unless Tapuika Te Arawa Waka Iwi are involved in managing waahi tapu and waahi tupuna, such hidden sites cannot be appropriately managed</i></p>	

<i>The discovery of taonga tuku iho or archaeological sites must be accompanied with protocols so that all parties are clear on how best to manage the discovery for the benefit of the preservation of the taonga site.</i>	<i>Te Arawa Waka Iwi aspirations for preservation Taonga or site, clear protocols will enable the discovery to be managed in a way that is best for cultural, social, and environmental outcomes and to hopefully to ensure minimum disruption to the resource</i>	<i>Tapuika. Under the Tapuika Iwi Accord with heritage Iwi aspirations for preservation Taonga or site. Clear protocols will enable the discovery to be managed in a way that is best for cultural, social, and environmental outcomes and to hopefully to ensure minimum disruption to the resource</i>	
<i>Clear protocols will enable the discoveries to be managed including user activity operators activity</i>			
<i>Advance mana whenua rangatiratanga in leadership</i>	<i>Advance mana whenua rangatiratanga and decision-making and provide for customary rights</i>	<i>Celebrate Māori culture and support te reo Māori to flourish</i>	
<i>Recognise and provide for te Tiriti o Waitangi outcomes</i>	<i>Strengthen rangatahi employment outcomes</i>	<i>Strengthen rangatahi leadership, education and</i>	
<i>Reflect mana whenua mātauranga and Māori design principles</i>	<i>Focus study Area including throughout Tauranga Mt Maunganui Papamoa and Te Tumu</i>	<i>Review the 2002 LGA Four well beings for Maori whanau and children within Te Tumu</i>	

#### Appendix 4

<b>THE ACTIVITY</b>	<b>CULTURAL IMPACT</b>	<b>MITIGATION OPTIONS</b>	
<i>Within the study area Te Tumu advance Maori Well Being</i>	<i>Meeting the needs and support the aspirations of Tamariki and their whānau</i>	<i>Provide legal safe access to sporting and recreation at Tumu Kaituna</i>	
<i>Tangata whenua whanau ora</i>	<i>Invest in marae to be self-sustaining and prosperous</i>	<i>Promote Māori success, innovation and enterprise</i>	

<i>Grow Māori intergenerational well being</i>	<i>Showcase Tangata whenua Māori identity and vibrant Māori culture</i>	<i>Grow Māori intergenerational wealth</i>	
<i>Advance mana whenua rangatiratanga in leadership</i>	<i>Advance mana whenua rangatiratanga and decision-making and provide for customary rights</i>	<i>Celebrate Māori culture and support te reo Māori to flourish</i>	
<i>Recognise and provide for te Tiriti o Waitangi outcomes</i>	<i>Strengthen rangatahi employment outcomes</i>	<i>Strengthen rangatahi leadership, education and employment</i>	
<i>Reflect mana whenua mātauranga and Māori design principles</i>	<i>Focus study Area including throughout Tauranga Mt Maunganui Papamoa and Te Tumu</i>	<i>Review the 2002 LGA Four well beings for Maori whanau and children within Te Tumu</i>	

## Appendix 5

<b><i>Proposed Activity</i></b>	<b><i>Impact on Cultural Values</i></b>	<b><i>Mitigation response from Iwi Hapu</i></b>	
<i>Sites on private lands may need to be protected through working with local authorities, the land owner or working through different strategies Te Tumu sites of significance undergoing rapid development and rezoning of Rural areas, application agglomeration policy)</i>	<i>Mana whenua can help you to: understand the history of Te Tumu and site be informed about the values and beliefs of mana whenua ensure the Assessment of cultural (CIA) Environmental Effects (AEE) that must accompany application fully identifies and addresses the effects of your proposal</i>	<i>Strategies preventing the decline of peripheral areas the compensation of economic site working through different strategies Te Tumu sites</i>	
<i>Tumu Kaituna Coastal area development is a volatile environment</i>	<i>Natural forces and human interventions can have significant impact on the area.</i>	<i>Storms and flooding expose koiwi human remains increased activities through open access impact waahi tapu and area of significance to Tapuika Te Arawa Waka Iwi wish to protect sites and prevent human activity exposing taonga</i>	



<i>Advance mana whenua rangatiratanga in leadership</i>	<i>Advance mana whenua rangatiratanga and decision-making and provide for customary rights</i>	<i>Celebrate Māori culture and support te reo Māori to flourish</i>	
<i>Recognise and provide for te Tiriti o Waitangi outcomes</i>	<i>Strengthen rangatahi employment outcomes</i>	<i>Strengthen rangatahi leadership, education and</i>	
<i>Reflect mana whenua mātauranga and Māori design principles</i>	<i>Focus study Area including throughout Tauranga Mt Maunganui Papamoa and Te Tumu</i>	<i>Review the 2002 LGA Four well beings for Maori whanau and children within Te Tumu</i>	

## Appendix 6

<b>THE ACTIVITY</b>	<b>CULTURAL IMPACT</b>	<b>MITIGATION OPTIONS</b>	
<i>Within the study area Te Tumu advance Maori Well Being</i>	<i>Meeting the needs and support the aspirations of Tamariki and their whānau</i>	<i>Provide legal safe access to sporting and recreation at Tumu Kaituna</i>	
<i>Tangata whenua whanau ora</i>	<i>Invest in marae to be self-sustaining and prosperous</i>	<i>Promote Māori success, innovation and enterprise</i>	
<i>Grow Māori intergenerational well being</i>	<i>Showcase Tangata whenua Māori identity and vibrant Māori culture</i>	<i>Grow Māori intergenerational wealth</i>	
<i>Advance mana whenua rangatiratanga in leadership</i>	<i>Advance mana whenua rangatiratanga and decision-making and provide for customary rights</i>	<i>Celebrate Māori culture and support te reo Māori to flourish</i>	

<i>Recognise and provide for te Tiriti o Waitangi outcomes</i>	<i>Strengthen rangatahi employment outcomes</i>	<i>Strengthen rangatahi leadership, education and</i>	
<i>Reflect mana whenua mātauranga and Māori design principles</i>	<i>Focus study Area including throughout Tauranga Mt Maunganui Papamoa and Te Tumu</i>	<i>Review the 2002 LGA Four well beings for Maori whanau and children within Te Tumu</i>	
<i>Advance mana whenua rangatiratanga in leadership</i>	<i>Advance mana whenua rangatiratanga and decision-making and provide for customary rights</i>	<i>Celebrate Māori culture and support te reo Māori to flourish</i>	
<i>Recognise and provide for te Tiriti o Waitangi outcomes</i>	<i>Strengthen rangatahi employment outcomes</i>	<i>Strengthen rangatahi leadership, education and</i>	
<i>Reflect mana whenua mātauranga and Māori design principles</i>	<i>Focus study Area including throughout Tauranga Mt Maunganui Papamoa and Te Tumu</i>	<i>Review the 2002 LGA Four well beings for Maori whanau and children within Te Tumu</i>	

### [An Assessment of Cultural Impacts in Relation to the Kaituna Re-diversion and wetland creation project 2014](#)

This assessment was prepared on behalf of Waitaha, Ngati Makino, Ngati Pikiao, and Ngati Tunohopu, all Te Arawa. The assessment provides some useful historical background that summarises the iwi and hapu above associated with Te Tumu, Maketu and Kaituna River.

At section 7 is a very useful articulation of values derived from a letter sent by 66 people in 1924 to Apirana Ngata. The values include; wairuatanga, rangatiratanga, whakapapa, whanaungatanga, identity, pakiwaitara, kaitiakitanga, mana, manaakitanga, mauri, and taha tinana. Through these values the assessment emphasises association, relationships and significance of Maketu, the coastline and resources.

At section 8 is a short but important description of Indigenous knowledge or matauranga Māori as a world view that incorporates many of the values identified above.

The recommendations in the CIA direct work on participation , collaboration and empowering local people in the planning, management and implementation of projects.

## Cultural Impact Assessment Kaituna River Rediversion, Ngāti Whakaue ki Maketu 2014

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Ngāti Whakaue</b>	5.1	16-18	<p><i>The CIA provides details of the battles at Te Tumu, for example: The Ngāti Whakaue chiefs of those times arranged a marriage between the trader Tapsell to Hineiturama a young woman of high mana (prestige), and the bloodline of Ngāti Whakaue chiefs. This marriage ensured that Whakaue would have access to the muskets and that Tapsell remained loyal to Te Arawa in particular.</i></p> <p><i>Te Haupapa who is remembered by the cannon that is erected beside the Arawa memorial at Maketū, Ngahuru who was killed when Te Waharoa raided Maketū Pa, Korokai II who led the assault at the battle of Te Tumu, Te Amohau who arranged the marriage of Hineiturama to Tapsell, Winiata the quiet strategist and Tohi Te Ururangi the Whakaue fighting chief who died at the Battle of Kaokaoroa (Matata) and whose daughter Ngatai married Tapsell's eldest son Retreat.</i></p>	<i>This confirms association of Ngāti Whakaue with Maketu and surrounding areas since the early 19<sup>th</sup> Century.</i>	
<b>Battle of Te Tumu</b>	5.2	17-18	<p><i>Te Tumu battle came about as 'Utu' (revenge) for the part that the people of Te Tumu Pa (mainly Ngaiterangi) carried out in aligning with Ngāti Haua led by Te Waharoa to attack and kill those in the Maketū Pa in 1836. Some of the Ngāti Whakaue that died included chiefs Te Haupapa and Ngahuru as well as family members of chief Haerehuka.</i></p> <p><i>After Maketū Pa was plagued; in retaliation Korokai II of Ngāti Whakaue led a Te Arawa contingent to attack Te Tumu Pa on the 5th May 1836. Those at Te Tumu Pa were taken by surprise and defeated. This conquest led to the sacking of Ngaiterangi from the Maketū area and the takeover of the coast by Te Arawa hapu (sub tribes). After a series of ongoing skirmishes that reportedly lasted up to 10 years, Te Arawa traveled to Tauranga to discuss peace. It was agreed that the Wairakei stream would be the boundary between Te Arawa and Tauranga tribes.</i></p>	<i>Te Tumu Pa is acknowledged as a focal point of historic conflict.</i>	

<b>Historical Account Information</b>	7.1	23-24	<p><i>When Te Waharoa invaded Maketū Pa the invaders took Tapsell's 12 cannons to Te Tumu Pa in 1836. Te Arawa tribes avenged the invasion by attacking Te Tumu Pa shortly after. At least five of Tapsell's cannons were thrown in the Kaituna River and have never been recovered. (A. Matheson).</i></p> <p><i>Tā Tapsell told of the ancestors cutting the totara logs upstream and floating them down so the coastal people here could carve waka (canoes). They would send the logs down on a spring tide. On the high land was where Tā said they were industrious in building canoes presumably the Pa site areas (M. Pittar).</i></p> <p><i>The lands between the Maketū railway crossing and Te Tumu are unlucky (makutu). It was the last area where cannibalism was practiced. Lots of bad things happened, and it could well be because of the mismanagement of the estuary. (M. Pittar).</i></p> <p><i>We were still finding skulls and human bones along the coast between Te Tumu to Maketū when I was a kid between the 1950's and 60's. (L. Tapsell).</i></p> <p><i>The land that I live on was passed down from my tūpuna (ancestor) Te Amohau who was a Ngāti Whakaue chief. He took part in the battle at Te Tumu, he also played a part in the marriage of Hineiturama a prominent chieftainess and Hans Felk Tapsell the first pakēha trader to Maketū. (B. Corbett).</i></p> <p><i>The mauri of the river and the estuary, the natural habitat that was being impacted, the food bowl (te pataka o Te Arawa) and what it meant to our people and also the disappearance of natural resources such as the paru (mud) that makes the dye for piupiu, these are all important to the cultural significance of the water. (TW. Walters).</i></p> <p><i>Te Tumu Pa was destroyed and Ngaiterangi were pushed back to the Wairakei Stream in Papamoa after the battle of Te Tumu in 1836. The Wairakei Stream is the recognised boundary between the Ngaiterangi and Te Arawa tribes.</i></p>	<p><i>Te Tumu Pa is acknowledged as a focal point of historic conflict.</i></p> <p><i>Identified sites of significance have been scheduled in the City Plan for protection. Many other sites are within areas set aside from urban development (fore dunes and areas adjacent the Kaituna River).</i></p>	
<b>Interviews</b>	8.0	35	<p><i>Interview carried out 24 January 2014 with Boy Corbett. Owner / operator of Boys Backpackers located on ancestral lands at Te Tumu.</i></p>	<p><i>Te Tumu Pa is acknowledged as a focal point of historic conflict.</i></p>	

			<p><i>The historical battles along the beach in the past we were still picking up skulls when we were kids, we were told to leave them where they lay and to rebury them if they were unearthed..</i></p>	<p><i>Identified sites of significance have been scheduled in the City Plan for protection. Many other sites are within areas set aside from urban development (fore dunes and areas adjacent the Kaituna River).</i></p>	
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## Mauao ki Papamoa Rena Kaitiaki Impact Assessment 2012

This Assessment was commissioned by Rena Long-Term Environmental Recovery Team for the purpose of informing the relevant parties of the Impact of the Rena Grounding on Tangata Whenua from Mauao to Papamoa. The Tangata Whenua group included Te Rūnanga o Ngāi Te Rangi Iwi Trust (TRONIT), TRONIT Resource Management Unit (TRONIT RMU), Ngāti Kuku Environmental Management Unit (Ngāti Kuku EMU) and the Mauao Project Steering Committee.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Battle of Kokowai</b>		41	<p><i>The CIA tells the story of the precursor to the Battle of Kokowai, including the killing of Taurawheke that led to the revenge killing of Tuwhiwhia and Tauaiti.</i></p> <p><i>A war party of Waitaha and Ngāti Ranginui decided to go to Maketū and do something to take revenge on Ngāi Te Rangi. They had got as far as Te Tumu when they came upon two men of Ngāi Te Rangi collecting toetoe to thatch the roof of a house. These men were Tuwhiwhia, one of the sons of Rangihouhiri, and Tauaiti, son of Tuwhiwhia. They killed Tuwhiwhia, cut off his head and put his headless body in a canoe and set it adrift down the Kaituna. Tauaiti was taken back to Tauranga, tortured, and then killed. Before he died Tauaiti prophesied, "My pain is shallow compared to the ocean of pain to come."</i></p>	<p><i>Waitaha, Ngati Ranginui and Ngai Te Rangi have an ancestral association through conflict with the areas around the Kaituna.</i></p>	
<b>Te Runanga o Ngai Te Rangi iwi Trust</b>	10.1	30	<p><i>Our rohe whenua / rohe moana extends from the coastal boundary "Mai i nga kuri a whare ki Te Tumu".</i></p>	<p><i>Ngai Te Rangi claim interests from Waihi Beach to Te Tumu.</i></p> <p><i>A Te Tumu Tangata Whenua Working party has been established to provide input directly into the project. Ngai Te Rangi have a representative on the working party.</i></p> <p><i>Tangata whenua have been given the opportunity to prepare CIAs that will set out their values and interests with the project area.</i></p>	Noted

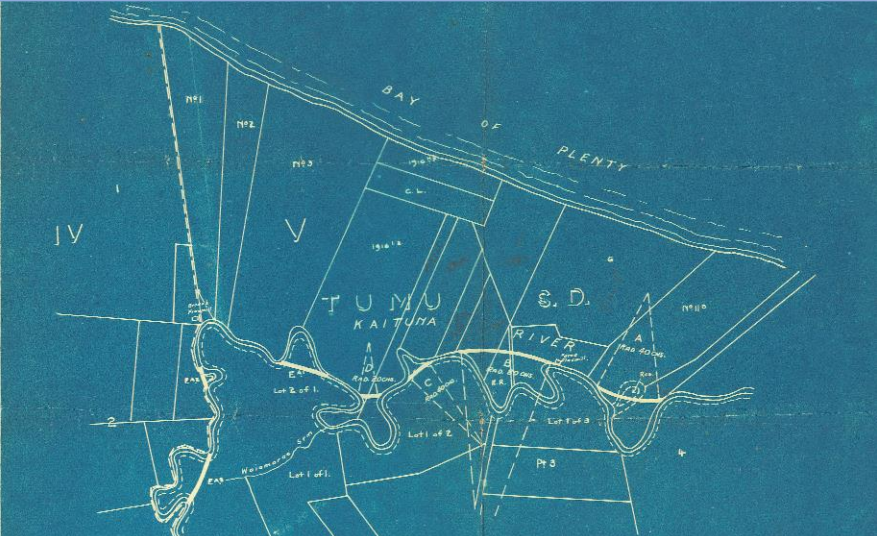
				<i>An assessment of iwi management plans has been conducted to identify, understand and review the responses of the project to tangata whenua values and interests.</i>	
<b>Environmental Impact</b>	10.1	30	<i>The oil slicks eventually landed on the beaches stretching from - Kuri a Whareī to Te Tumu</i>	<i>The Rena disaster is an important historical event directly affecting the coastline including Te Tumu.</i>  <i>There is sensitivity to environmental risk from shipping accidents and chemicals being released into the environment.</i>	
<b>Conclusion</b>		32	<i>The RENA grounding caused extreme stress to the people of Ngāi Te Rangi because of the huge environmental and cultural impacts from oil contamination of our beaches and outlying islands.</i>  <i>The health and well-being of our people was put at risk as our people rely greatly on seafood for their daily sustenance.</i>	<i>There is sensitivity to environmental risk from shipping accidents and chemicals being released into the environment.</i>  <i>Kaimoana (fish and shellfish) are important part of diet.</i>	
<b>Recommendations</b>	16		<i>Important matters of note include; restoration, awareness of cultural impacts, protecting tangata whenua interests, civil defense planning and integration.</i>	<i>Noted.</i>	

### Lower Kaituna River and Te Tumu – The Ford Family History from 1907 – 2008

This 31 page social history of the Ford family at Te Tumu written in first person, provides a summary of land use activity, a chronology of government and local body decisions, and physical changes to the Kaituna River. There are several good quality photographs and images.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>The Sandhills</b>		6	<p><i>The Sandhills' located on the northern side of the Kaituna River was established on 21st December, 1911 with the leasing by my grandfather, George P Ford, of 217 acres of second class land on a perpetual lease from the District Lands Office.</i></p> <p><i>Second Class land. Altitude, 5ft to 20ft above sea-level. Flat to slightly undulating land, covered with fern and manuka, except 50 acres in grass.</i></p> <p><i>Over the years, the productivity of The Sandhills was increased by breaking in the land that was covered in lupens, fern and manuka and fenced into large paddocks. My father ceased his farming activities in 1990 due to ill health.</i></p> <p><i>David has made substantial improvements to the fertility of the land. We have planted a number of pine stands which have helped to protect the pastures and the beach from erosion.</i></p> <p><i>With the improved farming methods of ploughing, fertilizing and increasing stock numbers the productivity of the land over the last 100 years has improved, however, it will never be highly productive farming land in comparison to the southern side of the river.</i></p>	<p><i>In 1911, the Te Tumu lands were covered in manuka and fern.</i></p> <p><i>Pasture grass and pine trees have replaced the Manuka and fern. Ploughing has been undertaken over much of the land.</i></p>	
			<p>There were vast quantities of flax along the Lower Kaituna. It was cut into bundles, tied and loaded onto rail trolleys and then taken to the rivers edge where it was loaded onto a barge. It was then towed by launch to the mill where it was stripped and dried.</p> <p>The industry created a lot of local jobs; from planting the flax, to cutting and processing it.</p> <p>I believe there was about 3000 acres of land involved with Flaxland Developments. They also planted faster growing flax which was designed to produce a crop of flax within nine months rather than three years.</p> <p>On The Sandhills, at the entrance to the Te Tumu Cut, there was a Manager's house and a flax mill. This Mill was previously owned and operated by Berquist.</p> <p>The Manager's house was located at the top of the ridge and had superb views over the estuary and to Maketu Town Point. The remains of the house (which I used to play in) went at the time of the construction of the Te Tumu Cut in 1956. These flax mill operations closed down after the Depression. When the Paroa flax mill (see Map 2, pg 11) closed on what is now Greg Clarke's land, my father took over the grazing and management of this land, together with the remainder of the Flaxland Development land, his land on The Sandhills and the Te Tumu farms, which combined approximately 1500 acres, providing a total area of 2,000 acres.</p>	<p><i>Te Tumu lands associated with the flax industry.</i></p>	



Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			My father grazed the Flaxland Developments land (550acres) with sheep and cattle. This land was later sold to Harry Dale, who in turn sold it on to Ted Hickson – and it is now owned by Tauranga City Council and Western Bay Council with an option to sell to the Carrus Corporation and Hickson Family joint venture, Totara Farm Park Limited, in 2016.		
					

### Evidence of Matiu Dickson (Waitangi Tribunal)

This brief of evidence (a transcript and summary presentation) prepared by the late Matiu Dickson of Ngai Te Rangi sets out the ten hapū of Ngai Te Rangi and their association with 'Nga Kuri a Whareki ki Te Tumu'. It provides an interesting interpretation of the battles between Ngai Te Rangi hapū and Te Arawa between 1833 and 1836 through analysis of two traditional mōteatea.

### Brief of Evidence in chief of Dr Des Kahotea

This brief of evidence was prepared by Dr Des Kahotea in support of identifying and protecting remnants of the Te Tumu Pā located at the end of the Te Tumu lands adjacent to the Kaituna River Cut. Dr Kahotea was relied upon heavily by the Court in establishing the events leading up to, during and after the battle of Te Tumu in 1836, the significance of the Pā and surrounding area.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<i>We have a common agreement that Te Tumu is an important pa and battle site to both Ngapotiki, Ngati He and Ngaitauwhao of Tauranga and Te Arawa iwi and hapu of Maketu and Lake Rotorua.</i>	<p><i>The spatial extent of Te Tumu pa was identified by the Environment Court in 2012.</i></p> <p><i>This spatial extent has been included in TCC City Plan maps.</i></p> <p><i>The corresponding area has been excluded from urban development in the structure plan.</i></p> <p><i>Ngapotiki, Ngati He, Ngai Te Rangi and Te Arawa hapū – Ngati Whakaue ki Maketu, Ngati Rangiteaorere and Ngati Uenukukopako are represented on the working party.</i></p>	
	13	3	<p><i>There was a large loss of life to both chiefs and toa on both sides but also women and children who were in the pa and were also either killed or captured. The greater loss of life was the defenders of the pa. From genealogical accounts and family documents many of these women and children are Ngapotiki.</i></p> <p><i>It is this large loss of life which makes this battle a significant and important event for the Tauranga hapu who defended the pa.</i></p>	<p><i>Te Tumu Pa is a wāhi tapu due to its association with battle and the loss of life.</i></p> <p><i>Te Tumu Pa is acknowledged as a focal point of historic conflict.</i></p> <p><i>Identified sites of significance have been scheduled in the City Plan for protection.</i></p>	
	15	3	<i>The defeat of the Ngaiterangi hapu of Ngati He, Ngapotiki and Ngaitauwhao was viewed by the Rotorua Lakes iwi and hapu as the moment when the claims of mana of Te Rangihouhiri was extinguished, meaning the claims of Ngaiterangi hapu to the Maketu and Kaituna area. This was the view expressed by the Te Arawa Lakes iwi and hapu whereas Waitaha and Tapuika have a different perspective as they were the resident Te Arawa iwi of Kaituna, Te Puke, Rangiuru and Maketu since the landing of the Te Arawa waka at Maketu.</i>	<p><i>Te Tumu Pa is acknowledged as a focal point of historic conflict.</i></p> <p><i>Identified sites of significance have been scheduled in the City Plan for protection.</i></p>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
	16	3	<i>Te Runanga o Ngati Whakaue ki Maketu Cultural Heritage Report Te Tumu Kaituna -Papamoa East identified Te Tumu Pa as a waahi tapu.</i>	<i>Noted.</i>	
	18	4	<i>Ngati He and Ngapotiki established themselves first at Te Paroa and Te Karaka pa on the Kaituna River to keep a presence in the area and then set up Te Tumu as a fighting pa. There were numerous skirmishes between these hapu and Te Arawa with loss of life on both sides. Ngatihei's pa was at Te Paroa, on Kaituna. Ngatitangaaomu &amp; Ngariki were at Te Karaka.</i>		
	26	6	<i>In 1845 a hohou rongo or maungarongo was conducted between Ngaiterangi and Te Arawa at the Maungatapu and Otumoetai pas.</i>	<i>Peace was made between Ngaiterangi and Te Arawa.</i>	
	27	6-7	<i>Ngapotiki are the Ngaiterangi hapu on the eastern boundary with Waitaha of Te Arawa. The boundary was surveyed as the eastern section of the Tauranga Confiscation following the boundary established by both Ngaiterangi and Te Arawa in 1845. Hikareia a senior elderly chief of Ngaitauwhao was killed at Te Houhou at Wairakei while escaping from the battle of Te Tumu pa.</i>	<i>Noted. The boundary between Te Arawa and Ngai Te Rangi is to the west of Te Tumu.</i>  <i>Te Houhou ki Wairakei is a reserve and included in the Tauranga City Plan for protection.</i>	
	60	18	<i>Ngapotiki requires Te Tumu both pa and cultural area to be placed as a SMA in the proposed City plan.</i>	<i>Te Tumu Pa as identified in the Environment Court has been included in the Tauranga City Plan maps and heritage schedules.</i>	
	62	18	<i>This principle should be applied to Te Tumu, the focus should not be only on determining the actual location and boundaries of the pa but defining the pa as a wider battle area which includes the areas outside the palisades and ditches. There is a reference to nets which was hung up outside the pa and burnt by Te Arawa (see 20 above). Waka taua (war canoes) was part of the spoils for Te Arawa and the area where they were either beached or tied would be part of this wider area associated with Te Tumu. There are many other cultural elements to be</i>	<i>Te Tumu Pa as identified in the Environment Court has been included in the Tauranga City Plan maps and heritage schedules.</i>  <i>The wider battle area was not included in the Tauranga City Plan for protection.</i> <i>A map produced by Antoine Coffin identifies several features associated with the battle for Te Tumu.</i>  <i>The structure plan currently shows urban development in the immediate proximity of the boundary of Te Tumu Pa.</i>	<i>Further assessment should be undertaken to identify an appropriate interface between urban footprint and the Pa site including measures to avoid, remedy or mitigate the effects on the heritage values of the pa and wider battle site.</i>  <i>Further assessment should be undertaken to identify an appropriate interface between urban footprint and the Pa site including measures to avoid, remedy or mitigate the effects on the heritage values of the pa wider and battle site.</i>

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<i>considered, many which are archaeological but difficult to determine.</i>		
	63	18-19	<i>This view is expressed in the Te Runanga o Ngati Whakaue ki Maketu Cultural Heritage Report Te Tumu Kaituna - Papamoa East where "Te Runanga o Ngati Whakaue ki Maketu believe that the site, river mouth and river margins, should remain "Tapu" forever out of respect to the tribes who fought there".</i>	<p><i>Te Tumu Pa as identified in the Environment Court has been included in the Tauranga City Plan maps and heritage schedules.</i></p> <p><i>The wider battle area was not included in the Tauranga City Plan for protection.</i></p> <p><i>A map produced by Antoine Coffin identifies several features associated with the battle for Te Tumu.</i></p> <p><i>The structure plan currently shows urban development in the immediate proximity of the boundary of Te Tumu Pa.</i></p>	<i>Further assessment should be undertaken to identify an appropriate interface between urban footprint and the Pa site including measures to avoid, remedy or mitigate the effects on the heritage values of the pa wider and battle site.</i>
	64-65	19	<i>Access to Te Tumu pa may be an important consideration for the structure plan and rezoning project.</i>	<i>The structure plan currently shows urban development in the immediate proximity of the boundary of Te Tumu Pa. This may also include vehicle access but this may need to be confirmed.</i>	<i>Further assessment should be undertaken to identify an appropriate interface between urban footprint and the Pa site including measures to avoid, remedy or mitigate the effects on the heritage values of the pa wider and battle site.</i>
			<i>In 1908 there was a reference in the Bay of Plenty Times where the Kaituna River had broken out to sea at Te Tumu and a deputation wanted to divert the river back to Maketu. This was caused by a 'record flood' in 1907 which breached the sand dunes at Te Tumu and by 1920 the outlet had moved towards Maketu. The Te Puke residents found it cheaper to have their goods delivered by steamer via the Te Tumu break although opinion was held that Maketu needed the river flow as it served as a good small harbour to run into. "Te Tumu is an ancient outlet in bad weather the sea breaks for some distance out here, the detritus brought down formerly shoaled the water. The opening must have existed for some time".</i>	<p><i>Noted. The Te Tumu river has broken out through the dunes historically.</i></p> <p><i>The Ford Family history booklet also records the Kaituna River mouth being at a number of locations along the coast since 1907.</i></p> <p><i>The structure plan has been prepared on the assumption that the Te Tumu Cut will remain in place (with some water diverted through the Kaituna re-diversion project) and the outlet of the Wairākei Stream will not be restored.</i></p>	<i>Noted</i>

### Te Tumu Significant Maori Area Assessment 2013

This assessment was prepared by Antoine Coffin as part of a mediation between Tauranga City Council and the Tangata Whenua Collective. The full report included assessment of some 112 Significant Māori Areas being considered for inclusion in the Tauranga City Plan. Te Tumu pā was one of a small number of sites that received specific assessments of their significance and if possible, spatial extent. The assessment provides a summary of references to Te Tumu Pā, the iwi and hapū groups associated with the pā, its significance and recommendations for protection.

Specifically, the assessment recommended that an area of the parekura 'Te Tumu' is preserved to acknowledge and recognise the historic significance of the events and the very 'tapu' nature of the land as a result of the large loss of life at this place. This could be achieved by setting aside reserves at Te Tumu, Te Kopua, Te Karaka, Whakarauhe and Otaiparia, and addressing size, scale, intensity and design of urban development in such a way as to provide meaning and coherence to the context of the battles and the place, Te Tumu.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Iwi / hapu association</b>		2	a) <i>Ngaiterangi, Ngāpotiki, Ngāti He, Ngai Tauwhao</i> b) <i>Ngāti Haua, Waikato</i> c) <i>Te Arawa, Ngāti Whakaue (Ngati Tunohopu), Ngāti Rangiwewehi, Ngāti Pikiao, Tuhourangi, Rangitihi, Ngāti Tarawhai, Ngāti Te Aorere, Tapuika, Waitaha</i> d) <i>Ngāpuhi</i>	<p><i>These groups have been grouped to reflect different associations. Group a) consists of Ngai Te Rangi hapū. Group b) includes iwi which formed a war party that attacked Maketu and sacked the Tapsell Trader Station in March 1836. Group c) consists of Te Arawa hapū that were either part of the settlement of the land after the arrival of Te Arawa waka, were part of the war party that stormed Te Tumu in May 1836, occupied Maketu or were part of the group that re-took Maketu following the Battle of Te Tumu.</i></p> <p><i>Many of these groups are represented on the Te Tumu Tangata Whenua Working Party.</i></p>	
<b>Assessment - Mauri</b>		15	<i>Te Tumu holds great mana as the place where many chiefs fought and died. The battles at Te Tumu changed the political and economic boundaries of Ngaiterangi and Te Arawa. The place holds special significance to many iwi and hapū due to its strategic location near the mouth of the Kaituna river and its association</i>		

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<i>with the events that included the battle of Te Tumu;</i>		
<b>Assessment - Waahi tapu</b>		15	<i>The place is a site of a significant battle for control of Maketu in the context of a 9-10 year intertribal war. During the main battle in 1836, a number of chiefs and warriors of note were killed on both sides. Accounts of numbers of casualties vary from 80-200. The spilling of blood and the loss of life at the site would be deemed to have placed a tapu on the site. Iwi and hapū representatives approached have confirmed their view that this place is a wāhi tapu. This assessment places the Te Tumu battle in the similar importance of Te Pakanga o Kokowai, Te Pakanga o Poroporohuamea, and Te Pakanga o Te Kaokaoroa. This is due to the number of iwi/hapu involved, chiefs, strategic importance of the outcome of battle and historical implications.</i>		
<b>Historical Narrative</b>	5	8-9	<p><i>A small number of artefacts with provenance to Te Tumu Pā have been recorded. These are:</i></p> <ul style="list-style-type: none"> <li><i>• Mahe (stone sinker) #39E, held at Auckland Museum. Part of Gilbert Mair Collection. Recovered from Te Tumu Pa in 1836.</i></li> <li><i>• Cartouch box #36, held at Auckland Museum. Part of Gilbert Mair Collection. Recovered from Te Tumu Pa in 1836.</i></li> <li><i>• 5 canons (originally at Maketu, taken by Ngaiterangi to Te Tumu Pa) retrieved by Te Arawa forces and 3 were named after ancestors. Tawakeheimoa is located at Tauranga Museum</i></li> </ul>		

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<p>storage, Te Takinga at Te Wairoa Buried Village, Korauateka last seen 1930s at Ohinemutu.</p> <p>The mahe is associated with fishing and the later mentioned canons and cartouch box are directly related to the battle of Te Tumu.</p>		
<b>Management Notes</b>		16	<p>The Te Tumu area has been earmarked for future residential development. It is expected that this development would have a significant impact on the area that will be difficult to avoid or mitigate.</p> <p>It is recommended that an area of the parekura 'Te Tumu' is preserved to acknowledge and recognise the historic significance of the events and the very 'tapu' nature of the land as a result of the large loss of life at this place. This could be achieved by setting aside reserves at Te Tumu, Te Kopua, Te Karaka, Whakarauhe and Otaiparia, and also addressing size, scale, intensity and design of urban development in such a way as to provide meaning and coherence to the context of the battles and the place, Te Tumu.</p> <p>It would be appropriate to seek a registration of Te Tumu as a wāhi tapu area and/or historic place.</p> <p>A portion of Te Tumu parekura should be added to the schedule of the Tauranga City District Plan.</p> <p>Relevant Iwi Management Plans should take into account the special status of Te Tumu and provide direction on its future management and how relationships between</p>	<p>The structure plan and rezoning project is identifying potential measures to avoid, remedy or mitigate effects on the cultural heritage values of Te Tumu.</p> <p>The structure plan shows large areas of cultural heritage sites (SMAs and archaeological sites) and landscapes that will be avoided.</p> <p>Many sites of significance including SMAs have been identified in the Tauranga City Plan and are in areas set aside from urban development.</p> <p>The spatial extent of Te Tumu pa has been identified by the Environment Court and this is reflected in the Tauranga City Plan. The extent of other sites has been identified archaeologically, however some iwi are in the process of clarifying their cultural view of spatial extent.</p> <p>Te Tumu pa has not been registered as a wāhi tapu pursuant to the Heritage NZ Pouhere Taonga Act 2014.</p> <p>A portion of the Te Tumu battle field has not been added to the schedule of the Tauranga City Plan and is not shown in the structure plan documentation.</p> <p>A review of Iwi Management Plans has been conducted as part of the structure plan and rezoning project.</p>	<p>Explore a range of protection mechanisms for the sites of significance.</p> <p>Compare the difference between the archaeological extent and cultural extent of sites of significance.</p> <p>Explore ways the size, scale, intensity and design of urban development in such a way as to provide meaning and coherence to the context of the battles and the place, Te Tumu.</p> <p>Investigate how a portion of the battle field can be recognised.</p>



Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<i>the place and tangata whenua can be sustained in the long-term.</i>		

### Statement of Evidence of Antoine Coffin (Environment Court 2013)

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>What is Te Tumu?</b>	4.4	5	<p><i>The word 'tumu' has several meanings in the Williams Māori dictionary. These include tame, a noun meaning promontory, headland; tame whakarae a figurative term for a chief; and tumu with some thirteen different meanings including; stump, pole of bird snare, stake used for marking fishing grounds, pike, trunk/headless body, main post in the palisading of a pā, foundation, field of battle, bed of mussels, high of the tide, halt suddenly, twitch/start, coo or grunt. A number of these meanings could be relevant on their own or in combination.</i></p> <p><i>He Pātaka Kupu, the most comprehensive Māori language dictionary with some 24,000 entries, provides several potential meanings, including one for tūmū and seven meanings for tumu. The tūmū meaning is almost identical to the Williams interpretation with addition that it is synonym to matarae, a headland or promontory of land in the sea or lake. For tumu, the base area of a tree, the main post in a palisading, a headless body, a pole for snaring birds, high tide, an animal or human sound, a twitch when waking. All of these are similar if not identical to aforementioned terms from Williams.</i></p>	<i>Noted</i>	<i>The name Te Tumu could be used a name of the suburb.</i>



Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
	6.9	16-17	<p>The <i>parekura</i> includes areas associated with the prelude, the duration of and immediate aftermath of the battle. The areas that are likely to be included are:</p> <ul style="list-style-type: none"> <li>Te Kopua, Te Karaka, Te Paroa, Whakarauhe – the approach route for a large number of attackers;</li> <li>Te Tumu Pa – the site of the main battle;</li> <li>Papahikahawai – skirmishes along the beach and dunes and a location from which attackers fired shots at the pa;</li> <li>Beach along the coast adjacent to the battle – the escape route followed by women and children; and</li> <li>Hind dune track to area adjacent to Te Houhou ki Wairakei – this also formed part of the escape route where a number of people fleeing the battle were killed.</li> </ul>	<p>The structure plan and rezoning project is identifying potential measures to avoid, remedy or mitigate effects on the cultural heritage values of Te Tumu.</p> <p>The structure plan shows large areas of cultural heritage sites (SMAs and archaeological sites) and landscapes that will be avoided.</p> <p>Many sites of significance including SMAs have been identified in the Tauranga City Plan and are in areas set aside for urban development.</p> <p>The spatial extent of Te Tumu pa has been identified by the Environment Court and this is reflected in the Tauranga City Plan. The extent of other sites has been identified archaeologically, however some iwi are in the process of clarifying their cultural view of spatial extent.</p> <p>A portion of the Te Tumu battle field has not been added to the schedule of the Tauranga City Plan and is not shown in the structure plan documentation.</p>	<p>Explore a range of protection mechanisms for the sites of significance.</p> <p>Compare the difference between the archaeological extent and cultural extent of sites of significance.</p> <p>Explore ways the size, scale, intensity and design of urban development in such a way as to provide meaning and coherence to the context of the battles and the place, Te Tumu.</p> <p>Investigate how a portion of the battle field can be recognised.</p>
	6.10	17	<p>I consider the battlefield is therefore likely to include a large area. There are however challenges in providing a definitive spatial extent. These include ambiguity and uncertainty in the archives and the absence of any archaeological features (in this regard I refer to Mr Phillip's evidence that any attempt to identify the exact nature and extent of the battlefield using archaeological methods would be most difficult.</p>	<p>A portion of the Te Tumu battle field has not been added to the schedule of the Tauranga City Plan and is not shown in the structure plan documentation.</p>	<p>Investigate how a portion of the battle field can be recognised.</p>

## Te Raupatu o Tauranga Moana, Waitangi Tribunal 2004

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
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2.3	31	Tauranga Maori were struck by further Nga Puhi raids between 1830 and 1833, but for the most part they successfully fought off these attacks. Tauranga Maori received assistance from Ngati Haua under Te Waharoa during the 1831 raid. Their Te Arawa neighbours were also drawn into the conflict. In 1832, Phillip Tapsell, a flax trader based at Maketu whose first wife was Nga Puhi, supported Nga Puhi during their siege of the Tauranga pa Otumoetai. <sup>18</sup> During the final Nga Puhi raid, in 1833, sections of Te Arawa fought on both sides. Ngati Rangiwehewehi supported Tauranga Maori in their defence of Maungatapu Pa, but others of Te Arawa fought alongside Nga Puhi against them. The Ngai Te Rangi pa at Te Tumu fell to a combined force of Nga Puhi and Te Arawa. <sup>19</sup>		
2.3	31-32	The killing of a Ngati Haua rangatira during a visit to Rotorua at the end of 1835 provided the spark for warfare between his iwi, supported by its Tauranga allies, and Te Arawa. In addition to coming to the aid of Ngati Haua, Tauranga Maori had their own reasons for wanting to attack Te Arawa: they wanted revenge for Te Arawa's support of Nga Puhi in 1832 and 1833 and they desired to take control of the flax trade in the region. In March 1836, Te Waharoa led a large force of Waikato and Tauranga people against the Te Arawa pa at Maketu. The pa fell to the attackers, who also destroyed Tapsell's trading station. It was now Te Arawa's turn to take the offensive. Differences within Te Arawa were set aside to assemble a large war party, which took the Ngai Te Rangi pa at Te Tumu, just west of Maketu. Few of the defenders survived the assault. <sup>21</sup>		
2.3	33	By 1840, as a result of the warfare with Te Arawa in the 1830s, Tauranga Maori had been driven out of the Maketu and Te Tumu areas.		
2.3	33	By 1840, the Tauranga Maori population was significantly reduced and weakened as a result of some two decades of warfare. <sup>24</sup> Nevertheless, with the exception of no longer occupying the Maketu area, the land rights of the Ngai Te Rangi and Ngati Ranginui hapu remained secure.		
2.5	43	A section of Ngati Pukenga fought with Ngati Maru against Ngai Te Rangi, and Ngati Pukenga fought on both sides of the Ngai Te Rangi–Te Arawa battle at Te Tumu. Generalisations about the enmity between Te Arawa on the one hand, and Ngai Te Rangi, Ngati Ranginui, and their Ngati Haua allies on the other, are also undermined to some extent not		

			only by the longstanding connections of various hapu with Waitaha but also by the links between Ngai Te Ahi, Ngai Tamarawaho, and Ngati Rangiwehewehi.		
	3.2.2	51	According to Richard Boast, who gave evidence for Ngai Te Rangi, Tapsell was taken to Maketu by Hori Tupaea of Te Whanau a Tauwhao and several Ngati Whakaue chiefs. The land on which Tapsell established his trading station was purchased from Ngai Te Rangi, but before long Maketu developed into a large Te Arawa community. Ngai Te Rangi responded by enlarging their nearby pa at Te Tumu. Before long, both communities became involved in scraping flax to trade for muskets, powder, and other European goods. As we related in section 2.3, the area around Maketu became the site of warfare between Te Arawa and Ngai Te Rangi in the later 1830s.		

#### Tauranga Moana 1886-2006, Volume 1 & 2, Waitangi Tribunal 2010

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
	7.5.1	528-529	<p>Whareoteriri Rahiri of Waitaha, told us of trips to the Wairākei Stream and its outfall into the estuary to gather watercress and pipi. He remarked on the clarity and cleanliness of that stream. As Boffa Miscella has reported :</p> <p><i>As late as the 1950s this raupo-fringed lagoon was still an isolated place little known to local Pakeha, a place where local whanau could still gather to gather tuatua and pipi, or catch kahawai at the mouth of the lagoon. Upstream from the lagoon, fishing parties would gather watercress on their homeward journey. Since then, drainage works and residential development have obliterated the lagoon, the stream, and most signs of the former Maori occupation and use of the area.<sup>17</sup></i></p>		

<sup>17</sup> Tauranga Moana 1886-2006, 7.5.1, p.528-529.

	7.5.3	541	Wairākei Stream (subject of claim Wai 664, by Waitaha) no longer exists, because of reclamation and urban development. In its place is a stormwater drain. <sup>18</sup>		
	11.1.6	844	Further along the coast, on the eastern edge of our inquiry district, reclamation and urban development have resulted in the loss of the Wairākei Stream. In its place is a stormwater drain. <sup>19</sup>		

### Cultural Impact Assessment for Comprehensive Stormwater Consent for Pāpāmoa Catchment - Proposed Change to Condition 5.3 of Resource Consent 63636, October 2014

This document provides a (Ngai Te Rangi) tangata whenua perspective on the cultural significance and potential impacts of the proposed changes to Resource Consent 63636 (condition 5.3) from the Bay of Plenty Regional Council (BOPRC).

The purpose of this report is to highlight the authority of our Iwi - Ngai Te Rangi; for the defined area, to support the greater interests of our whanau, marae and hapu and to ensure Hapu and Iwi interests are addressed.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b><i>Nga Hapu o Ngai te Rangi</i></b>	2.1	3	By the end of the 18th Century, the Hapu of Ngai Te Rangi iwi had spread and settled themselves along the entire coastline; <i>'Mai nga Kuri a Whareki ki Te Tumu</i> ; and harbour edge, and including all of the major inshore and offshore islands within the Tauranga Moana district.		
<b><i>Environmental Impacts</i></b>	3.1	7-8	Consultation has highlighted the following issues: a. Water quality and suspended sediments b. Increase litter and debris c. Must not impact on the mana of the whenua and of the whanau d. Waahi tapu locations being exposed to degradation e. Loss of mauri	<i>Ngai Te Rangi representation provided for in Tangata Whenua Working Party</i>	

<sup>18</sup> Counsel for Wai 664 claimants, final closing submissions, 12 December 2006 (doc U5(a)), p 56 (taken from Tauranga Moana 1886-2006, 7.5.3, p.541.)

<sup>19</sup> Tauranga Moana 1886-2006, 11.1.6, p.844

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			f. Need for strengthening the practice of Kaitiakitanga		
<b>Mauri Taiao - Environment</b>	3.1.1	8	<p>a. Water Quality o Tangata Whenua believe the proposed application has had an impact on the water quality within the area. An ultimate vision for Ngai Te Rangi is to ensure our tamariki mokopuna have a clean and safe environment to swim, play and eat from.</p> <p>b. Habitat Quality o The proposed works within the consent has had an impact to the habitat, however the long term and cumulative effects on habitat and ecosystems is uncertain.</p> <p>c. Kaimoana o Tangata Whenua have collected kaimoana including ika, from the proposed area for centuries. There has been a substantial decline in kaimoana stocks throughout the rohe in the past 50 years.</p> <p>o There is also potential to impact on the natural cycle and biodiversity of kaimoana species in the eastern Bay of Plenty. Tangata Whenua believe in a holistic ecosystem, where all living creatures inter-relate and co-exist with one another i.e an adverse effect on one species may affect others within the marine ecosystem.</p> <p>d. Contaminants o Tangata Whenua believe that the proposed works have the potential to cause discharge of contaminants into the coastal marine area.</p>	<i>Resource Consent and variation to consents granted. These form the basis of developing comprehensive stormwater solutuion for Te Tumu lands.</i>	
<b>Mauri Hapu</b>	3.1.2	8-9	<p>a. Access o The loss of access to Mataitai areas will disconnect our people from their cultural relationships with various kaimoana bed and sites in the coastal marine area..</p>		

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<p>b. Kawa &amp; Tikanga</p> <ul style="list-style-type: none"> <li>o The gathering of kai from the moana and from the awa, is of upmost importance for Tangata Whenua. Customary practices such as this, enhance our cultural relationships with the natural environment and reconnects us to our tupuna, our forebears and their customary practices.</li> </ul> <p>c. Waiata &amp; Karakia</p> <ul style="list-style-type: none"> <li>o There are many waiata, karakia and whakatauki which pay reference to the eastern Bay of Plenty. These emphasise our identity and importance of these sites for Tangata Whenua</li> </ul>		
<b>Mauri Whanau</b>	3.1.3	9	<p>Kai substitution</p> <ul style="list-style-type: none"> <li>o In the past, Tangata Whenua have relied heavily on kaimoana for mere survival. We still rely on kaimoana, kaiawa to supplement the growing costs of food. It is part of our kāpata kai (food cupboard).</li> </ul> <p>Lifestyle changes</p> <ul style="list-style-type: none"> <li>o There is the potential to see a decrease in Tangata Whenua customary activities in the area and in a sense, a loss of cultural connection and relationship.</li> </ul>		
<b>Mauri Hapori</b>	3.1.4	9	<p>a. Manaakitanga</p> <ul style="list-style-type: none"> <li>o Tangata Whenua pride themselves on their ability to provide and host manuhiri. Ngai Te Rangi Hapu are renowned for providing the sweetest Pipi and Tuangi for occasions. In recent times, this custom has deteriorated and even now, we are unable to provide the same level of manaakitanga that we were well known for only 20 years ago. This proposal has the potential to impact on the mana and mauri of our Hapu and ultimately our Iwi.</li> </ul>		

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>General Impacts of Stormwater</b>	4	11	A major issue for urban stormwater is the contamination of the water runoff due to the nature of urban surfaces. The quality of urban stormwater is closely linked to both the quantity and quality of urban sediments. Built up sediments and macro matter often contain heavy metals or other contaminants which can be detrimental to the receiving environment and its inhabitants; as well as the cultural, economic, and social values of the area. These contaminants also settle within waterways altering the chemical nature of water quality and potentially causing long term adverse effects to the receiving environment. Improper management of stormwater networks can lead to health risks, severe degradation of aquatic environments, and destruction of private and public properties (NIWA, nd) (Huntsinger, 2007) (Shaver, 2012).		
<b>Direct Impacts of Stormwater</b>	4.1	11	The environment is holistically connected as a seamless landscape. Indigenous peoples of the south Pacific have an intrinsic connection with the natural environment. Water is of particular significance as it is the essence of life itself. The moana is a source of spirituality, sustenance and survival. Traditional lifestyle requires the sustenance harvesting from the land and sea. This activity maintains the connection between people, environment and culture (CSIRO Marine Research, 2002) (McTaggart, 2013). Traditionally all waste passed through the land for purification and the degradation of waterways through inappropriate resource management is culturally unacceptable. (Ellis, Bennett, Kuka, Coffin, Cooper, & Heke Kaiawha, 2008)	<i>A comprehensive stormwater system uses a land soakage method with a inter-connected and series of wetlands, ponds, overland flow paths.</i>	
<b>Direct Impacts of Stormwater</b>	4.1	12	The Tauranga City stormwater network discharges stormwater into the coastal foreshores of the harbour, coast and river ways (Ellis, Bennett, Kuka, Coffin, Cooper, & Heke Kaiawha, 2008) (Tauranga City Council, 2012). It cannot go into the wastewater systems for treatment as the system can't manage	<i>A comprehensive stormwater system uses a land soakage method with a inter-connected and series of wetlands, ponds, overland flow paths.</i>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			the extra load (Tauranga City Council, 2012). Tauranga City is divided into six stormwater catchment areas, each with varying land use and actual & potential cultural impacts.	<i>There will be a sereration of stormwater and wastewater.</i>	
<b>Recommendations</b>	5.0	12	A monitoring methodology, data collation and reporting, monitoring plan, an adaptive management strategy emergency flood action response diagram and internal and external audits	<i>Resource Consent and variation to consents granted. These form the basis of developing comprehensive stormwater solutuion for Te Tumu lands.</i>	
<b>Objectives</b>	6.0	13	Te Runanga o Ngai Te Rangi Iwi Trust Resource Management Unit will support the Proposed Change to Condition 5.3 of Resource Consent 63636 – Comprehensive Stormwater Consent for Papamoa Catchment on the condition that our recommendations are taken into account in good faith, with dedicated efforts for the restoration, improvement and protection of the Eastern Bay of Plenty coast and all associated waterways and tributaries.	<i>Resource Consent and variation to consents granted. These form the basis of developing comprehensive stormwater solutuion for Te Tumu lands.</i>  <i>Ngai Te Rangi representation provided for in Tangata Whenua Working Party.</i>	

## Cultural Impact Assessment on behalf of the Tapuika Iwi Authority for Proposed Variation to Resource Consent No. 63636 – Comprehensive Stormwater Consent for Papamoa 2014

This assessment prepared on behalf of Tapuika by Elva Conroy. The assessment is generally supportive of the consents and recommends further work on identifying sites of significance and enhancing mahinga kai and cultural harvesting resources.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Summary of Recommendations</b>	1.4	3	Based on information by the applicant, the proposed reduction in the volume of stormwater mitigation (100% to 40%) will not adversely affect cultural values. This is because stormwater overflows (including increased volume and frequency) are not expected to have any significant impact on Kaituna River water levels or quality.	<i>Noted. This relates to the stormwater consents which have been granted and form the basis of the stormwater approach for Te Tumu lands.</i>	
<b>Summary of Recommendations</b>	1.4	3	When TCC commences the detailed design of the stormwater ponds, swales and wetlands for Te Tumu,	<i>Taouika re a member of the working party which has workshopped this matter. A</i>	



Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			further discussions are recommended with Tapuika. This is due to the likely presence of waahi tapu along the banks of the Kaituna River and need to ensure that any excavation / disturbance avoids or mitigates any adverse cultural effects on these significant / sensitive sites.	<i>speciifc meeting has been held with taouika to cover off this matter. Ongoing discussions will take place regarding the design of the stormwater approach tro ensure tangata whenua are confortable the approach is within the consent.</i>	
<b>Tangata Whenua</b>	3.2	4	The Project Area falls within Te Takapū o Tapuika / Tapuika Tribal Estate, as outlined in the aerial map provided in Appendix 2. Wairakei Stream is the western extent of Te Takapū o Tapuika. Te Takapū o Tapuika include Te Puke, Rangiuru, Waitangi, Wairakei, Te Tumu, Maketu, Paengaroa, Pongakawa, and Kaharoa.	<i>Noted</i>	
<b>Occupation, use and association</b>	3.3	4-5	The Wairakei Stream outlet denotes the western boundary of Te Takapu o Tapuika (Tapuika Tribal Estate). There were no known Tapuika settlements along Wairakei Stream. The Kaituna River is known to Tapuika as Te Awanui o Tapuika or the great river of Tapuika, named by Tia for his son. Tapuika have a long association with, and intrinsic connection to, the Kaituna River. This is evident in Tapuika oratory, customs, genealogy, proverbs and songs.	<i>Noted.</i>	
<b>Areas of Special Significance</b>	3.4	5	The Kaituna River is a taonga of great significance as evident in Tapuika oratory, customs, genealogy, proverbs and songs .It is the source of Tapuika identity. The significance of the Kaituna River to Tapuika has formal recognition in the Tapuika Claims Settlement Act 2014. This includes: <ul style="list-style-type: none"> <li>☐ Statutory Acknowledgement – relates to the Crown’s acknowledgement of Tapuika’s cultural, spiritual, historical and traditional association.</li> <li>☐ Deed of Recognition – relates to the Crown’s obligation to consult with Tapuika regarding certain activities.</li> <li>☐ Kaituna River Co-governance - a statutory body, Te Maru o Kaituna (the Kaituna River Authority)), has</li> </ul>	<i>Noted.</i>  <i>Updates are being given to the Te Maru o Kaituna.</i>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<p>been with membership drawn from local authorities, Tapuika and other iwi with associations to the Kaituna River.</p> <p>The Coastal Marine Area, from Wairakei to Little Waihi is also a Statutory Acknowledgement Area under the Tapuika Claims Settlement Act 2014.</p>		
<b>Areas of Special Significance</b>	3.4	5	<p>The location and extent of archaeological sites of Maori origin in the vicinity of the project area gives an indication of the settlement patterns along the banks of the Kaituna River. In particular, Te Tumu was the site of battles in the mid 1830's which focused on the taking of Te Tumu Pā. Historically many battles have been fought along this part of the coastline where koiwi (human remains) were removed during the 1940s and re-located further up the Kaituna River. As shown below, there are a number of sites of significance to Tapuika that are scheduled in the Tauranga City Plan. There are also a number of sites that are significant but are yet to be scheduled. These are mostly located along the Kaituna River.</p>	<p><i>All the sites identified in the CIA area currently accounted for either within the archaeological landscape zone in the foredunes or in the areas to be excluded from development, adjacent to the Kaituna River.</i></p> <p><i>Archaeological survey has been conducted at Te Tumu for some time. During the development of the structure plan and plan change, two further surveys have been commissioned. One of these clarifies the extent of known archaeological sites along the dunes, adjacent to Kaituna River. A second survey conducted in Dec 2018 investigates the midsections of the lands between the coast and the Kaituna River.</i></p>	<p><i>Investigate a permanent repository for koiwi (human remains) that may be discovered.</i></p> <p><i>Formalise a management approach for koiwi (human remains) that may be accidentally discovered.</i></p>
<b>Issues raised by Tangata Whenua</b>	5.1	6	<p>No specific issues or concerns were raised by Tapuika members during the preparation of this report. There is a strong preference for the discharge (via Wairakei Stream then to the Kaituna River via wetland) as opposed to a direct discharge into the Coastal Marine Area (M. Wihapi, pers. comm, 22 August 2014).</p>	<p><i>The current comprehensive stormwater proposal is to use the Wairakei Stream in a interconnected system of wetlands, ponds/swales and over land paths.</i></p>	
<b>Summary and Recommendations</b>	6	8	<p>Based on information by the applicant, the proposed reduction in the volume of stormwater mitigation (100% to 40%) will not adversely affect cultural values. This is because stormwater overflows (including increased volume and frequency) are not expected to have any significant impact on Kaituna River water levels or quality.</p>	<p><i>Noted</i></p>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Summary and Recommendations</b>	6	8	When TCC commences the detailed design of the stormwater ponds, swales and wetlands for Te Tumu, further discussions are recommended with Tapuika. This is due to the likely presence of waahi tapu along the banks of the Kaituna River and need to ensure that any excavation / disturbance avoids or mitigates any adverse cultural effects on these significant / sensitive sites.	<i>Presentation to Tangata Whenua Working Party completed. Copies of presentations sent to all iwi including Tapuika. Meeting with Tapuika held in 2018.</i>	
<b>Recommendations to applicant</b>	6.2	8	<p><i>Tapuika are involved in wetland design to:</i></p> <ul style="list-style-type: none"> <li><i>Identify sites of significance (including waahi tapu) to Tapuika.</i></li> <li><i>Ensure that there are opportunities to enhance mahinga kai and cultural harvesting resources. This includes the ability to impart traditional knowledge in terms of wetland plant species and method of preparation / restoration.</i></li> </ul>	<p><i>Work with Tapuika to identify and provide appropriate management approach for wāhi tapu.</i></p> <p><i>Identify recommendations from Tapuika in their CIA.</i></p> <p><i>Incorporate these views in the development of a cultural management plan for Wairākei.</i></p>	<p><i>Confirm the appropriate management approach for wāhi tapu which may include a range of mechanisms that will provide planning, physical and legal protection. .</i></p> <p><i>CIA for Tapuika has been completed. Identify relevant recommendations.</i></p> <p><i>Incorporate opportunities to enhance mahinga kai and cultural harvesting practises in cultural management plan.</i></p>

### Tapuika Cultural Impact Assessment of Te Awa-iti o Waiari, 2005

This report assesses the impacts and effects of a proposed Waiari water supply scheme. The report identified the key values of Tapuika at the time, these being mauri, tapu, mana, take tupuna, ahi kā and kaitiakitanga.

The report has identified values of waterways. These include:

- The role of waterways in the tribal creation stories
- The proximity of wahi tapu and other historical sites
- Use of waterways as access routes
- Source of mahinga kai and resource materials
- Future generations access and use to resources.

The report identifies the important issues as Integrated management, participation of Tapuika iwi, liaison and communication, relationship and protocol agreements.

### Ngāpotiki a Tamapahore Cultural Impact Assessment of a Proposed Change to Condition 5.3 and associated conditions of Resource Consent 63636 – Comprehensive Stormwater Consent for Pāpāmoa Catchment, Feb 2015

This cultural impact assessment was prepared by Ngāpotiki in 2015. It responds to a change in the Papamoa Catchment stormwater consents regarding storage. The report recommends use of good practise in stormwater management and a number of matters that should be included in the development and landscape plan for the Wairākei and a cultural management plan for the Te Tumu lands.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Ngāpotiki whakapapa</b>	5	6	<i>Traditionally, the Pāpāmoa sand-dunes included swamp and fresh water resources of which the Wairakei stream was part and as well as providing portage networks and customary resources for Ngā Potiki. The Wairakei stream and Te Akau is the location of many events and sites which are important to Ngā Potiki history, heritage and traditions.</i>	<i>Noted</i>	
<b>Ngāpotiki area of interest</b>	5	7	<i>A map illustrates Ngāpotiki Area of Interest along the coast from Te Maunga in the west to Maketu in the east.</i>	<i>Noted.</i>	
<b>Ngāpotiki Cultural Landscape Area</b>	5	8	<i>A map illustrates two landscape areas at the Wairakei Stream and adjacent to the Kaituna River, including Te Tumu Pa.</i>		
	5		<i>Ngā Potiki established pā at Te Tumu, Te Karaka, Te Kopua and Te Paroa on the Kaituna River to watch over and control the Te Arawa preparing flax at Maketu and the Kaituna.</i>		
<b>History</b>	5	9	<i>The lands and waters from Te Tumu to Wairakei were immensely tapu due to the battle of Te Tumu and the spilt blood of the chiefs, warriors, women and children. Any passage into these lands was conducted under strict protections and respect for the tapu and thus the mana of Ngā Potiki and Ngai Te Rangi. There were on-going skirmishes between Ngā Potiki / Ngai Te Rangi and Te Arawa, but nothing as significant as</i>		

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<p>the Te Tumu battle. For Ngā Potiki and Ngai Te Rangi, the intergenerational customs dictated that utu would one day be sought again.</p> <p>However, before this occurred, Ngā Potiki / Ngai Te Rangi and Te Arawa established a maungarongo following hui at Maungatapu and Otumoetai in 1845. The maungarongo resulted in the return of Maketu to Te Arawa.</p> <p>Ngā Potiki / Ngai Te Rangi and Te Arawa regarded Wairakei to Te Tumu as tapu and therefore an area to be respected. This area provided a natural buffer between Te Arawa (who were now accepted as holding Maketu) and Ngā Potiki / Ngai Te Rangi of Pāpāmoa and Rangataua. The area from Wairakei to Te Tumu remains an area of overlapping mana and tapu to this day.</p>		
<b>History</b>		10	<p>Following the cessation of hostilities with Te Arawa (1835-1845), Ngā Potiki whanau continued to harvest eels, inanga, ducks and fish from the Kaituna on a seasonal basis and continue to do so even to this day. The area from Wairakei to Te Tumu is still considered ancestral rohe of Ngā Potiki obtained through the mana of Tamapahore (being the korero that has been passed down through the generations), but is also recognised as a tapu area due to the battle of Te Tumu.</p>		
<b>Treaty Settlement</b>	9	11	<p>For Ngā Potiki, the Treaty settlement is the basis to restore the customs and traditions of Ngā Potiki and is an important part of the relationship we have with this area today – ie, one focused on restoration of the mauri so that the natural resources will again provide the cultural and customary foundations that make up Ngā Potiki traditions and korero and which connect Ngā Potiki to our ancestral rohe.</p> <p>The association with the Wairakei Stream is specifically recorded in our Deed of Settlement with the Crown (DOS).</p>		

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			<p>The DOS records the following statement of association for Wairakei Stream:  “STATEMENTS OF ASSOCIATION  5.21 Part 1.2 of the documents schedule contains statements by Ngāi Te Rangi and Ngā Pōtiki that record their cultural, spiritual, historical and traditional association with: ...  5.21.3 Wairakei River (as shown on deed plan OTS-078-22).”  The Wairakei Stream statement of association records:  “This stream once ran parallel to Te Akau and extended well into the Te Tumu Block. It drained the extensive Papamoa swamplands and emptied into Te Moana a Toi. Wairakei served as a pataka kai ... well into the nineteenth century.”</p>		
<b>Effects Assessment</b>	11	13	<p>The Wairakei stream was and remains an area of major cultural significance to Ngā Potiki. The Wairakei stream and swamp area provided a customary resource which Ngā Potiki utilised for cultural, spiritual and physical sustenance from the time that Ngā Potiki came to occupy the Pāpāmoa hills and sand dunes. This area is an important part of Ngā Potiki cultural landscapes and it is important that the mauri of the Wairakei stream is restored.</p> <p>The Wairakei stream has suffered considerably since the development of the Pāpāmoa sand dunes. The Pāpāmoa swamp lands have been drained to enable farming and other land use on the Pāpāmoa sand-dunes following the alienation of these lands from Ngā Potiki. The stream and surrounding lands are now under renewed pressure from urban development. Through various activities in the Pāpāmoa area the Wairakei stream has been severed from both its head waters in the Pāpāmoa hills as well as its coastal Pāpāmoa connection. For Ngā Potiki, there is an aspiration to restore the mauri of the</p>	<i>Noted for development of Cultural Management Plan</i>	<i>Incorporate this in development of CMP.</i>

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			Wairakei stream so that it can once again be fully utilised for cultural purposes by future generations.		
			The proposal entrenches a connection to the Kaituna river, mixing the mauri of the Wairakei stream with the Kaituna, whereas the natural connection of the Wairakei was to the Pāpāmoa coast. This was more than just the natural connection, this connection is culturally significant as part of Ngā Potiki korero, traditions and identity being a wāhi tapu, associated with the battle of Te Tumu and important tupuna. To modify the Wairakei in such a drastic and irreversible way by changing its natural connection to Kaituna has significant cultural and spiritual impacts.	<i>The current stormwater proposal focus on utilising the Wairakei Stream through a series of interconnected wetlands, ponds/swales and over land flow paths. There is a connection to the Kaituna River, however, this is designed for significant flood events, which naturally would have inundated the surrounding lowland areas of the Kaituna including Te Tumu.</i>	
		14	Ngā Potiki expects that its relationship with this waterway will be a central factor for any further activity in relation to the Wairakei and a signal that the mauri of Wairakei and Ngā Potiki's association with it will be restored.	Noted. To be included in landscape plan and cultural management plan.	To be included in landscape plan and cultural management plan.
		14	The current proposals are for the purpose of opening up adjacent lands for development. This also raises concerns for Ngā Potiki. This important cultural landscape area is being significantly modified with no reflection of Ngā Potiki's important cultural associations to this area. When one travels through this area, there is very little or no reflection of its importance as part of the cultural landscape, korero and identity of Ngā Potiki. In our view, this is something that can occur even in the modified urban environment if fully considered, and the Wairakei stream corridor is a natural and obvious area. The view of Ngā Potiki is that in progressing the application, the Wairakei stream has been simply viewed as a degraded stormwater drain to enable development and full consideration has not been given to the important cultural values associated with Wairakei.	Noted. To be included in landscape plan and cultural management plan.	To be included in landscape plan and cultural management plan.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
		14	Ngā Potiki also has related concerns that the adjacent development will occur with little requirement for best practice measures to avoid stormwater pollution or contaminants to the Wairakei stream and will itself further impact on the relationship of Ngā Potiki with the Wairakei and the surrounding landscape. Ngā Potiki has similarly sought information on the current requirements and best practice measures that may be incorporated into future development. It is not yet clear that this is part of the requirements for neighbouring development.	Stormwater approach incorporates good practise and design. Ngāpotiki are a member of the working party.  Recognition of cultural significance to be included in landscape plan and cultural management plan.	To be included in landscape plan and cultural management plan.

#### Te Runanga o Ngati Whakaue ki Maketu Cultural Impact Assessment October 2014

The purpose of this report is to provide an assessment of the cultural impacts the comprehensive stormwater consent variation 63636 will have on the Ngati Whakaue ki Maketu hapu members. It is mainly concerned with sites of significance, providing a very useful map and a list of significant sites to Ngati Whakaue ki Maketu. Much of the balance of the assessment is concerned with the downstream effects on the Kaituna River and Maketu Estuary.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Tangata Whenua</b>	3.2	6	Ngati Whakaue ki Maketu Hapu have lived in the coastal area of mainly Maketu permanently since the 1830's. We are the main tangata whenua group within Maketu that have maintained a long occupation in this area.	<i>Noted.</i>	
<b>Ngati Whakaue sites of Historical and Cultural Significance</b>	Map2	8	Map identified the general location of some 16 sites of significance.	<i>Noted.</i>  <i>3 of these sites are located within the foredunes (archaeological landscape area). 8 of these sites are located adjacent to the Kaituna River and areas excluded from development, although 1 of the sites Te Karaka Pa needs to be checked. 3 sites are clearly located upstream and outside the Te Tumu lands. 2 sites are located along the Wairakei Stream.</i>	<i>The map confirms sites of significance and locations of those sites. This is important for zone options and area to be precluded from development.</i>  <i>Some sites such as those along Wairakei Stream are places where appropriate enhancement of values could be achieved through the implementation of a Cultural Management Plan. For example ecological restoration at sites 12 and 13,</i>



Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
					<i>and cultural recognition at sites 1,2,3,4,5,7,8.</i>
<b>Names of Significant areas</b>	4.1	9	A table provides the names of the 16 sites and their significance/function.	<i>Noted</i>	<i>This facilitates meaningful discussions regarding appropriate management approaches based on their significance and former function.</i>
<b>Resources and Activities</b>	4.2	9	The historical activities that were carried out included occupation of Pa Sites for a period of time. These Pa were also subject to battles that took place throughout history. With occupation came the hunting and gathering of food from the nearby streams, rivers and sea. The planting of crops was extensive and covered a vast majority of lands. The caring of the gardens was seen and imperative to a tribe's existence. The areas between Te Tumu to Wairakei extensive gardens and occupation existed and Ngati Whakaue whanau would have occupied areas for periods of time in this area.	<i>Noted</i>	
<b>Issue Mitigation</b>	5.2	10	Health and Wellbeing of streams, river and the Maketu Estuary.  Potential impacts on the native fish, the natural vegetation within the Kaituna River and the rivers ecological habitats.  Carry out surveys at various points within the Kaituna River / Maket_ Estuary recording the vegetation, fish numbers, fish species and macro invertebrate communities. Findings included in the catchment management plan referred to in 12.5 of the consent.	<i>Completed.</i>	
<b>Issue Mitigation</b>	5.2	10	Impact of Discharge  Further degrading of the water quality in the lower Kaituna catchment. The water quality is already considered of low quality.	<i>Regional Council responsibility for water quality monitoring.</i>  <i>Monitoring as per consent conditions noted.</i>	

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
			Carry out regular surveying and monitoring of the water quality. Regional council to review all discharge consents and make discharge in the first instance to wetlands compulsory.	<i>Wetlands, ponds/swales and interconnected stormwater system being proposed for Te Tumu lands.</i>	
	5.2	10	<p>Impacts on Maketu Estuary.</p> <p>The freshwater flow expected from the Kaituna Rediversion is expected to clean the water over time. Stormwater from this consent will mean more contaminants flowing into the estuary.</p> <p>Construction of the wetlands should be at a size and depth that is able to cope with the volume of contaminated water expected to come from urban development over the 35 year consent period. Flow into the Kaituna should be at minimum Government standards (drinkable).</p>	<p><i>Contaminants entering the Maketu Estuary from the discharges from the Te Tumu lands less than minor effect.</i></p> <p><i>Wetlands will be constructed to provide enhancement in ecological values and provide some treatment.</i></p> <p><i>Water quality standards not appropriate to be applied to stormwater.</i></p> <p><i>Regional Council and National standards for stormwater will be followed.</i></p>	
	5.2	10	<p>The volume of contaminated water for cleansing.</p> <p>The volume of contaminated water that will be discharged at any one time to the wetland.</p> <p>Evidence on the effectiveness of each wetland in cleaning the contaminated water over a period of time.</p>	<i>The proposed integrated wetland, pond/swale system at Te Tumu will provide a 'fill and sink' during normal times. Flood events may utilise an overflow that uses wetlands for final treatment.</i>	
<b>Recommendations to consent authority</b>	6.2	11	We support the use of wetlands as the first discharge point for both the Wairakei and Kaituna River.	<i>Noted. The system proposed uses this method.</i>	
<b>Recommendations to applicant (TCC)</b>	6.2	12	<p>The Maketu Estuary is connected to the Kaituna River. The consent should take into account the effects on the well-being of the estuary.</p> <p>It is against our customs and culture to contaminate fresh water ways, as they provide the sustenance of life.</p>	<p><i>Noted.</i></p> <p><i>The Kaituna Document and other statutory imperatives confirm this as an important matter for Iwi.</i></p>	

### Waitaha Cultural Impact Assessment of the proposed Waiari Water Supply Scheme. April 2006

This report is a 55-page assessment of a proposal to take water for water supply from the Waiari Stream. The assessment does not provide much guidance for the Te Tumu structure plan and rezoning project as much of the report discusses international and national social and cultural contexts. The conclusions and recommendations are general in nature related to the Waiari specifically and are mostly irrelevant to the Te Tumu project.

### Waitaha Cultural Impact Assessment October 2014

The purpose of this report is to provide 2 cultural assessments with recommendations concerning Waitaha iwi area of interest within the scope of Proposed Variation to Resource Consent No. 63636 – Comprehensive Stormwater Consent for Papamoa & Mount Beach-Papamoa Coastal Structures resource consent application. The assessment sets out the Waitaha area of interest and a number of matters that should be taken into account regarding stormwater, Waitaha participation in decision-making and restoration of wetlands.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Executive Summary</b>	1	2-3	<p>Waitaha recommends that Council response takes into account the likely state of mauri over and of the land, waterways, air, plant, animal, and marine life by the proposed storm water reduction over time.</p> <p>Waitaha recommends that the Council provide evidenced dialogue to the effects of environmental impact as a result of land availability for further developments to occur by reducing storm water management</p> <p>Economic value traditionally concerns itself with sustained sustenance derived from environmental care underpinned by the principle of ensuring the existence of mauri is well maintained.</p> <p>The environment is included in the Waitaha tribal social fabric in that kaitiakitanga obligations are underpinned by the value of kinship between the environment and the tribe. Maintaining the mauri over the environment promotes a reciprocal value in that a sustained natural environment will better provide, and benefit generations</p>	<p>Waitaha included in the working party to assist Council in understanding and taking into account the state of the mauri of resources at Te Tumu.</p> <p>Waitaha involved in the constraints mapping for the development of lands at Te Tumu. Stormwater approach is being developed in close engagement with Waitaha and other iwi/hapu.</p> <p>Disagree. Economic value was derived from surplus harvesting, hunting, gathering which could be traded, socio-political expansion and domination of resources through force and shared rights. Te Tumu lands and the Kaituna River has not supported a subsistence economy for almost two hundred years.</p> <p>The second largest land block is Maori owned and the Trust has proposed significant commercial zone and plans to undertake economic activity.</p>	

<b>Recommendations for Papamoa Stormwater Consent variation</b>	1.4.1	4	<ul style="list-style-type: none"> <li>• The quadruple bottom line is used in any decision making regarding future developments</li> <li>• New technologies are considered as they become available for Tauranga's stormwater systems which may improve storm water quality;</li> <li>• Heavy plantation of natural wetland species surrounding the storm water ponds be applied subject to a natural wetland benefit (i.e. bacteria growth, wildlife, re-generation, conservation, recreation, beautification, pollution and nutrient controls )</li> <li>• The effects of contamination from storm water is avoided, remedied and mitigated; and</li> <li>• Waitaha is kept updated about progress on the consent application</li> </ul>	<p>Iwi/hapu groups can choose to use a quadruple bottomline as part of their cultural impact assessments and guide their input into the project.</p> <p>The proposed stormwater system incorporates good practise design, methods and construction materials.</p> <p>A landscape plan and cultural management plan will set out ecological and cultural enhancement activities.</p> <p>Waitaha is represented on the working party.</p> <p>A quadruple bottomline assessment criteria was used for the Papamoa Comprehensive Stormwater Consents project (URS sec 127 Application for Change of Conditions to Resource Consent 63636, Nov 2014).</p>	
	3.3.1 3.3.2 3.3.3 3.3.4	6-7	<p>Papamoa</p> <p>The Taumau o Hei describes Te Takapu o Waitaha (the belly of my son) and means the ownership of land within a boundary set aside for Waitaha and his descendants.</p> <p>This northern boundary starts at Hikurangi north of the modern day Katikati to Otumatawhero at the eastern of the Papamoa beach. From Otumatawhero it proceeds up the Kaituna river to Te Kopua then continues up to the river mouth of the Waiari river to Te Ngaeo then follows the river Waiari till it meets the Paraiti river then to Te Rerenga on to Otanewainuku to Puwhenua from there to Waianuanu on the Kaimai ranges to Ngatamahinerua on to Hikurangi mountain.</p>	<p>Noted. Confirms Waitaha interests in Te Tumu lands.</p>	

			The boundary for Waitaha was reset again from Waimapu River to Te Tahuna o Rangataua (Rangataua harbor) on to Mauao where it turns left on to Maikukutea to Waitahanui on to Te Repehunga (Papamoa domain) to Wairakei to the beginning at Otumatawhero.		
	3.3.5	7	Otumatawhero describes (the face of Tumatauenga, God of war). In the time of the Waitaha tupuna Te Iwikoroke this boundary was contested by Tapuika but is was reaffirmed again by him and called Te Patu I Keria a Te Iwikoroke. Te Patu I Keria (Te Iwikoroke used his patu to mark the boundary) in the presence of Tatahau of Tapuika.	Noted. Otumatawhero is within the Te Tumu lands and within an area excluded of development. Otumatawhero is a SMA scheduled in the TCC Operative District Plan.	
<b>Assessment</b>	5.2	9-10	<ul style="list-style-type: none"> <li>• Enable Waitaha participation at planning stages for input</li> <li>• Consider adequate timeframes enabling Waitaha to consult with its' people on matters raised by council seeking responses from Waitaha</li> <li>• Provide Waitaha with necessary literature, for consideration and understanding, explained by Council</li> <li>• Follow up by Council with Waitaha to concerns raised by Waitaha</li> <li>• Feedback from Council to the recommendations provided by Waitaha</li> <li>• Council make use of information already supplied by Waitaha to</li> </ul>	<i>Noted.</i>	

### Waitaha Response (CIA) to Cultural Management Plan for Wairākei August 2015

This report is an Addendum in addition to the CIA for the purposes of responding to additional activity being sought and is inclusive of the associated Stormwater Catchment Management Plan – Papamoa Catchment (CSC6). The report provides some specific elements that need to be incorporated into a landscape plan and/or cultural management plan for the Wairākei Stream and Te Tumu.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
Water Quality	8		<ul style="list-style-type: none"> <li>plan for conservation, maintenance and restorative remedies for the management of the wetland ecological system</li> <li>Waitaha seeks to advise on cultural/native species, fauna, seasonal timing appropriate to sustaining wetland services (purifying air, and water)</li> <li>Alternative option to wetland purifying services in the long-term, for example discharge storm water and high level overflow to the coastal marine area, as opposed to discharge into the wetland and Kaituna</li> <li>Exploration and proposed new technologies over the 35year term be advised</li> </ul>	<p>Wetland enhancement shall be carried out by TCC at the location of any high level overflow weir when constructed to enable the discharge of stormwater from the Wairākei Stream to the Kaituna River. The opportunity exists for Waitaha involvement in this enhancement work, particularly in relation to selection of plant species, planting and harvesting activities.</p> <p>Other conservation, maintenance and restorative remedies for the management of the Kaituna wetland ecological system is carried out by TCC via its membership of Te Maru o Kaituna.</p> <p>TCC investigating alternative options, such as discharge of stormwater to the coast during its 5 yearly review of the Papamoa stormwater catchment management plan (CMP) for the duration of the consent.</p> <p>TCC to review changes in stormwater treatment technology during its 5 yearly review of the Papamoa stormwater CMP for the duration of the consent</p>	
Water Quality Monitoring	8.2		<p>Protecting the mauri of water requires the prevention of un-natural mixing of water from one source into another.</p> <p>Waitaha recommends that tracked changes are best measured at Weir locations – (point of entry), as opposed to downstream.</p>	<p>As a condition of the CSC, TCC carries out routine monitoring of stormwater at four locations within the Wairākei Stream. Upon construction of high level overflow weirs, monitoring at the most downstream Wairākei Stream location shall cease and be replaced by monitoring within the overflow swale immediately downstream of the weir and prior to discharge into the Kaituna wetland system.</p>	

Wairakei Stream Landscape Plan	9	<p>Waitaha accords special value to a water body and riparian that safeguards critical habitat, provide ecosystem support for mahinga kai species, such as eels, watercress, and flax. Supports migratory and breeding environments common to wetlands and lagoon environments.</p> <p>The Wairakei stream has suffered extreme channel modification in favour of roading, railways, and urban development. Disturbance of in-stream and riparian habitat displacement, changes in water quality, along with composition of stream hydraulics and hydrology have occurred.</p> <p>Waitaha is both a landowner and has a statutory interest in the Pāpāmoa catchment</p> <p>Waitaha encourages riparian planting of native species known for</p> <ul style="list-style-type: none"> <li>(a) their pollution abatement function</li> <li>(b) re-generate habitat for birds, wildlife, and other critical habitat</li> <li>(c) mahinga kai – relates to food resources of the land, and water</li> <li>(d) rongoa – medicinal species found along coastlines</li> </ul>	TCC agrees that the Wairakei Stream Landscape Plan should encourage: the riparian planting of native species known for their pollution abatement function; regeneration of habitat for birds, wildlife and other critical habitat; mahinga kai; rongoa.	
Cultural Management Plan	15	<p>When it comes to the environment, stakeholders are multi-dimensional. That's is; Mankind, Wildlife, Vegetation, Mauri.</p> <p>Waitaha proposes that promotion of the benefits of cultural values in relation to the environment encourages long term sustainability for future</p>	Noted. These can in incorporated into CMP for Stage II.	

			<p>generations ahakoa ko wai?, ahakoa no hea? <i>(no matter who, and no matter where you come from)</i></p> <p>Waitaha recommends the that promotion of cultural values which have regard for the relationship and care of our natural resources as the key principle for encouraging;</p> <ul style="list-style-type: none"> <li>(a) Cultural recognition</li> <li>(b) Appreciation and understanding of those values and the relationship to the environment</li> <li>(c) Public engagement in the care for the environment and natural resource from a holistic perspective</li> </ul> <p>For example;</p> <ul style="list-style-type: none"> <li>• Water is a taonga and plays a unique role in the traditional social, cultural and tribal economy</li> <li>• Without water, rivers, streams, and lakes all things living are likely to cease to exist</li> </ul> <p>This approach does not necessarily focus on promoting “mana whenua status”, moreover seeks to combine cultural value in the environmental care as a collective responsibility for current and future generations.</p>		
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### Waitaha Cultural Plan, 30 June 2016

This plan has been prepared in part as the Waitaha contribution to the Wairākei Stream Corridor Cultural Management Plan, and is in relation to Resource Consent 63636 conditions 10.6 and 10.7. The report includes:

- Identification of areas of cultural significance within and adjacent to the relevant part of the Wairākei Stream Corridor.
- Recognition of cultural values for the Wairākei Stream, including measures to protect and enhance.
- Setting out cultural practices which occurred along or adjacent to the Wairākei Stream Corridor and / or cultural practices that tāngata whenua wish to continue to undertake.



- Cultural recognition elements.

These cultural recognition elements could include:

- carved pou, fencing, gateway features (especially where the Wairākei stream bisects roads and in the vicinity of any cultural sites;
- elements to be incorporated into any existing and future bridges/culverts of the Wairākei Stream (where practicable);
- planting of native species of cultural importance to tangata whenua;
- cultural elements

In relation to any boardwalk/cycle way features or other structures within the Wairākei Stream corridor, planting of native species of cultural importance to tangata whenua.

#### [Ngai Te Rangi and Te Whanau o Tauwhao Te Ara ō Wairākei Cultural Plan \(no date\)](#)

This plan was prepared by Te Ohu Taiao o Ngāi Te Rangi on behalf of Te Rūnanga o Ngāi Te Rangi Iwi Trust and Te Whānau a Tauwhao.

The plan identifies areas of cultural significance within and adjacent to relevant parts of Te Ara ō Wairākei and provides methods for recognition of cultural values for Wairākei, including measures to protect and enhance the following; resources and areas of significance to tangata whenua, customary practices, the ‘mauri’ of Wairākei stream, mahinga kai, tuna habitat, and waka portage.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Cultural Practises</b>		11	<p>These are traditional activities listed in the cultural plan.</p> <ul style="list-style-type: none"> <li>• Mahinga mātaimai</li> <li>• Ruku moana</li> <li>• Hī ika</li> <li>• Hao ika</li> <li>• Kohi rau</li> <li>• Whati rākau</li> <li>• Keri rua</li> <li>• Rapu tuna</li> <li>• Whakatō kai</li> <li>• Taka kai</li> <li>• Tao kai</li> <li>• Hora kai</li> <li>• Kauhoe</li> <li>• Whakaterere waka</li> </ul>	Noted.	

			<ul style="list-style-type: none"> <li>• Mau rākau / parawhakawai</li> <li>• Tua tamariki / iriiri</li> <li>• Whakahaere karakia</li> <li>• Hikoi whenua</li> <li>• Mahi rongoa</li> <li>• Wāhi tapu</li> <li>• Mahi toi</li> <li>• Wānanga</li> <li>• Nohoanga</li> </ul>		
<b>Ara Ngahere</b>		13	Ara ngahere provides vegetation corridors that are designed to promote an abundance of native birdlife to the Wairākei. Pathways for native bird species like tui, bellbird and waxeye include the nectar rich native species. Pathways for native bird species such as kereru and kakariki include berry fruiting native plant species.	Noted for CMP.	
<b>Pa harakeke</b>		14	Specific areas should be identified for growing special varieties of harakeke and raupo that are utilised in mahi raranga. The same areas could also be designed to provide an area where traditional dye can be sourced.	Noted for landscape plan and cultural management plan.	
<b>Ara wai</b>		16	Recognition of cultural values for the Wairākei Stream, including measures to protect and enhance: <ul style="list-style-type: none"> <li>• Resources of significance to tangata whenua;</li> <li>• Customary practices;</li> <li>• The 'mauri' of the Wairākei Stream;</li> <li>• Mahinga kai;</li> <li>• Tuna habitat;</li> <li>• Waka portage.</li> </ul>	Noted for CMP.	
<b>Cultural recognition Elements</b>		17-18	<p>Interpretive panel and historical pathway map showing the journey of Te Rangihouhiri.</p> <ul style="list-style-type: none"> <li>• Carved pou, fencing, gateway features (especially where the Wairākei Stream bisects roads and in the vicinity of cultural sites;</li> <li>• Elements to be incorporated into any existing and future bridges/culverts of the Wairakei Stream (where practicable);</li> </ul>	These are ideas for potential recognition of sites and areas of significance but also recognising a theme.	

			<ul style="list-style-type: none"> <li>Planting of native species of cultural importance to tangata whenua;</li> <li>Planting of native species of cultural importance to tangata whenua.</li> </ul>		
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### Ngapotiki Cultural Management Plan for the Wairākei Stream, June 2016

This report is a preliminary draft of the cultural management plan for the Wairākei stream. It sets out objectives of the cultural management plan. It has been based on preliminary input and reports by cultural and technical advisors including experts in mātauranga Maori, tāngata whenua customary activity, mahi raranga (weaving) and harakeke, hopu tuna (eeling), koura (freshwater crayfish), and the history of Wairākei. The purpose of this plan is to provide some recognition of the important cultural associations to Wairākei and create a plan for restoring the Wairākei – taking it from a state of ‘Haumate’ to ‘Hauora’.

Subject	Ref	Page	Resource / Issue	Current Structure Plan and Plan Change Response / Action / Consideration	Potential Options
<b>Tangata Whenua</b>	4.0	9	Ngā Potiki occupied pā along Wairakei, the coastal sand-dunes and on the banks of the Kaituna River at Te Houhou, Te Tumu, Te Karaka, Te Kopua and Te Paroa.	Noted.	
<b>Water catchment context</b>	6.0	10	Prior to the construction of the railway and state highway, the Wairakei stream had its headwaters in the Pāpāmoa hills.	Noted	
<b>Pa harakeke</b>	6.0	15	<p>A specific objective of the cultural management plan is to enhance the use of the Wairakei for pā harakeke.</p> <p>Pā harakeke varieties are carefully chosen for their raranga (weaving/plaiting) and muka (fibre) qualities.</p>	Noted	
<b>Support Structures</b>		17	It is proposed that the pā harakeke are supported by structures to provide shelter and facilities for providing information, as well as providing functional spaces to support pā harakeke activity.	Noted	
<b>Hopu Tuna – Eeling</b>	9.0	20	Another specific objective of the cultural management plan is to restore and enhance the use of Wairakei for hopu tuna (eeling). The Wairakei was an important tuna resource. An important part of the	Noted.	

			<p>cultural management plan is to bring about the restoration of hopu tuna (eeling) to the Wairakei.</p> <p>Providing suitable areas for hopu tuna has a number of aspects. Hopu tuna includes a range of associated features. These include:</p> <ul style="list-style-type: none"> <li>• Pā tuna – eel weirs</li> <li>• Mauri stones – placed near eel weirs</li> <li>• Hinaki – normally made from mangemange</li> <li>• Rama and taotahi – torch and spear – hopu tuna normally occurred at night</li> <li>• Maramataka – hopu tuna was controlled by the maramataka. The first six and last seven nights of the moon are best for hopu tuna by rama.</li> <li>• Korapa – net</li> <li>• Whare tuna – eel whare within the waterway</li> </ul> <p>Given the current circumstances associated with the Wairakei, it will be necessary to consider strategies for stocking the Wairakei stream with tuna.</p>		
<b>Wahi tapu</b>	10.0	21	<p>An objective of the cultural management plan is to provide appropriate recognition for these sites in many instances and to restore and enhance the customary uses of these sites in various instances.</p> <p>In addition to signage, there are examples of whare which are located on kapu sites as memorials, as well as being used for ceremonial and wānanga purposes.</p>	Noted.	
<b>Signage and Park Furniture</b>	12.0	29	<p>An objective of the cultural management plan is to ensure signage and park furniture within the Wairakei reserve reflect the cultural context and signage / furniture should be designed for this purpose.</p>	Noted for CMP	
<b>Koura</b>	15.0	37-38	<p>Ngā Potiki wishes to explore potential for koura ponds along the Wairakei corridor. This provides a further source of mahinga kai associated with the Wairakei.</p> <p>Ngā Potiki has engaged koura experts for this purpose. It is likely that such ponds would be suggested as being off-line from the main stream and</p>	Noted.	

			it is anticipated that ponds can be incorporated into appropriate parts of the Wairakei corridor.		
<b>Co-governance</b>	16.0	39	It will be necessary to consider how the Wairakei would be co-managed by tāngata whenua and Council. This should form part of the next phase of work on the cultural management plan.	Noted.	